# JOURNAL

OF THE REGULAR SESSION OF

# THE HOUSE OF REPRESENTATIVES,

OF THE

# COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY, THE FOURTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1871, AND OF THE COMMONWEALTH THE EIGHTIETH.

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# JOURNAL

OF THE

# HOUSE OF REPRESENTATIVES

## OF THE COMMONWEALTH OF KENTUCKY.

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### MONDAY, DECEMBER 4, 1871.

At a General Assembly of the Commonwealth of Kentucky, begun and held at the Capitol in the city of Frankfort, on the 4th day of December, in the year of our Lord one thousand eight hundred and seventy-one, being the day fixed by law for the meeting thereof, the following members of the House of Representatives, viz:

From the county of *Adair*—James Garnett.
From the county of *Allen*—Wm. J. McElroy.
From the county of *Anderson*—Wm. F. Bond.
From the county of *Ballard*—Thomas H. Corbett.
From the county of *Barren*—W. R. Bates.
From the counties of *Bath and Menifee*—Alpheus W. Bascom.
From the county of *Boone*—T. S. Fish.
From the county of *Bourbon*—C. M. Clay, jr.
From the county of *Boyle*—Wm. A. Hoskins.
From the county of *Bracken*—A. C. Armstrong.
From the counties of *Breathitt, Wolfe, and Powell*—T. P. Cardwell.
From the county of *Breckinridge*—Jonas D. Wilson.

From the counties of *Bullitt and Spencer*—W. B. M. Brooks.
From the counties of *Butler and Edmonson*—Julian N. Phelps.
From the county of *Calloway*—W. W. Ayers.
From the county of *Campbell*—W. A. Moran and R. Tarv. Baker.
From the counties of *Carroll and Trimble*—J. R. Sanders.
From the counties of *Casey and Russell*—Bryan S. McClure.
From the county of *Christian*—Walter Evans.
From the counties of *Clark and Montgomery*—Joseph T. Tucker.
From the counties of *Clay and Owsley*—J. P. Hampton.
From the counties of *Cumberland and Clinton*—C. P. Gray.
From the county of *Crittenden*—J. N. Wood.
From the county of *Daviess*—Clinton Griffith.
From the counties of *Estill and Jackson*—Hiram S. Powell.
From the county of *Fayette*—Wm. Cassius Goodloe.
From the county of *Fleming*—E. A. Robertson.
From the counties of *Floyd and Johnson*—Joseph M. Davidson.
From the county of *Franklin*—Harry I. Todd.
From the counties of *Gallatin and Grant*—Wm. G. Conrad.
From the county of *Garrard*—Wm. Sellers.
From the county of *Graves*—T. J. Jones.
From the county of *Grayson*—J. M. White.
From the counties of *Green and Taylor*—Thomas M. Johnson.
From the county of *Greenup*—J. L. Waring.
From the county of *Hancock*—James W. Snyder.
From the county of *Hardin*—J. L. Nall.
From the counties of *Harlan and Perry*—Josiah H. Combs.
From the county of *Harrison*—T. J. Megibben.
From the county of *Hart*—John P. Rowlett.
From the county of *Henderson*—L. W. Trafton.
From the county of *Henry*—George M. Jessee.
From the counties of *Hickman and Fulton*—A. S. Arnold.
From the county of *Hopkins*—S. H. Woolfolk,
From the county of *Jefferson*—E. Polk Johnson.
From the county of *Jessamine*—J. A. McCampbell.
From the county of *Kenton*—C. C. Scales.
From the counties of *Knox and Josh Bell*—W. H. Evans.
From the county of *Larue*—Sam'l M. Sanders.
From the counties of *Laurel and Rockcastle*—R. D. Cook.
From the county of *Lawrence*—George Carter.
From the counties of *Letcher and Pike*—James B. Fitzpatrick.

From the county of *Lewis*—T. J. Walker.
From the county of *Lincoln*—Thomas W. Varnon.
From the counties of *Livingston and Marshall*—C. H. Webb.
From the city of *Louisville*, 1*st District*—George W. Anderson.
2*d District*—B. E. Casselly.
3*d District*—John S. Carpenter.
4*th District*—J. M. Wright.
5*th District*—J. Guthrie Coke.
6th *District*—E. F. Waide.
7*th District*—J. P. Sacksteder.
8*th District*—M. Woods Ferguson.
From the county of *Madison*—James B. McCreary.
From the county of *Marion*—E. A. Graves.
From the county of *Mason*—W. W. Baldwin and R. L. Cooper.
From the county of *McCracken*—John W. Ogilvie.
From the county of *McLean*—John Rowan.
From the county of *Meade*—Wm. A. Allen.
From the county of *Mercer*—J. J. McAfee.
From the county of *Metcalfe*—S. C. Bell.
From the county of *Monroe*—Manlius T. Flippin.
From the counties of *Morgan, Rowan, Magoffin, and Elliott*—William Mynhier.
From the county of *Muhlenburg*—James C. Moorman.
From the county of *Nelson*—Wm. N. Beckham.
From the counties of *Nicholas and Robertson*—J. S. Lawson.
From the county of *Ohio*—J. S. Taylor.
From the county of *Oldham*—Wm. Tarlton.
From the county of *Owen*—C. W. Threlkeld.
From the county of *Pendleton*—W. W. Deaderick.
From the county of *Pulaski*—J. E. Cosson.
From the county of *Scott*—John A. Bell.
From the county of *Shelby*—J. P. Foree.
From the county of *Simpson*—W. W. Bush.
From the county of *Todd*—W. L. Reeves.
From the county of *Trigg*—M. E. McKenzie.
From the county of *Union*—John W. Dyer.
From the county of *Warren*—Lewis Potter.
From the county of *Washington*—Mat. Nunan.
From the county of *Wayne*—James S. Chrisman.
From the county of *Webster*—G. W. Bailey.

From the county of *Whitley*—G. W. Little.

From the county of *Woodford*—J. C. S. Blackburn.

Appeared in their Hall, produced certificates of their election, took the oath required by law, and constituting a quorum, proceeded to legislative business.

When the counties of Boyd and Carter (which, with a part of Elliott county, constitute one legislative district) were called, Mr. Mordecai Williams presented and laid on the Clerk's table the following papers, viz:

"THE COMMONWEALTH OF KENTUCKY, *sct.:*

"We, R. B. McCall, deputy sheriff, for John J. Kouns, sheriff of Boyd county, and Stephen Nethercutt, sheriff of Carter county, duly authorized to compare the election returns for the counties of Boyd and Carter, and for districts Nos. 3, 4, and 5, of Elliott county, being that part of said county taken from Carter county that votes with Carter and Boyd counties for Representatives to the General Assembly, do certify that, at an election held in said counties, and said districts of Elliott county, on the 7th day of August, 1871, upon due comparison of the returns and certificates of said election, find that Mordecai Williams and W. W. Culbertson have received the highest and an equal number of votes for Representative to the General Assembly, viz: 1504 votes each; and we have determined the same by lot in the presence of more than three persons; and upon a fair and impartial ballot, in a manner agreed upon and determined by us, do certify that Mordecai Williams is duly elected to fill the office of Representative to the General Assembly of the Commonwealth of Kentucky.

"Given under our hands this 14th day of August, 1871.

"[Signed] R. B. MCCALL, Dep., for
"JOHN J. KOUNS, S. B. C."

"COMMONWEALTH OF KENTUCKY, BOYD COUNTY:

"We, R. B. McCall, deputy sheriff, for John J. Kouns, sheriff of Boyd county, and Stephen Nethercutt, sheriff of Carter county, Ky., duly authorized to compare the election returns for the counties of Boyd and Carter, and for districts Nos. 3, 4, and 5 of Elliott county, being that part of said county taken from Carter county, and that, according to an act of the last General Assembly, votes with Boyd county and Carter county for Representative to the General Assembly, do certify, that, at an election held in said counties, and part of said Elliott county aforesaid, on the 7th day of August, 1871, upon due comparison of the returns and certificates of said election, we find that W. W. Culbertson and Mordecai Williams have each received the highest and an equal number of votes for Representative to the General Assembly of the Commonwealth of Kentucky, viz: W. W. Culbertson 1,504 (one thousand five hundred and four) votes, and Mordecai Williams 1,504 (one thousand five hundred and four) votes, each. We agreed to decide who was elected by lot, as follows: Four

similar tickets were to be placed in a hat, on two of which said Culbertson's name should be written, and upon the other two said Williams' name should be written in like manner; the one whose name was drawn twice first should be the Representative. Nethercutt proposed that they blindfold a man, and let him draw after he, Nethercutt, had examined the tickets. Said Stephen Nethercutt then demanded, several times, permission to examine the tickets, which had been prepared in another room by another party, and was told each time by the party who prepared them, and said McCall, that he could see them after they were drawn. This Nethercutt declined, and then put his hands in the hat and picked up the ticket to examine it and see if it was fair, as he had said he wanted to. As soon as he picked it up R. B. McCall took it from his hand and unfolded it, and said it was for Williams, and that it was a draw. Sheriff Nethercutt said that it was not a draw; that he only wanted to look at the ticket to see if it was all right; and that he did not pick it up for the purpose of drawing. McCall insisted that he proceed. He said he would examine the tickets, and would draw, but would not be treated that way. They waited some time, Nethercutt wishing to examine the tickets and then draw, McCall wishing the above to be counted a draw. Then McCall said: 'Captain Nethercutt, I will exhibit the tickets.' Nethercutt said he was wishing to draw fair, but would not agree to that way of drawing. McCall pulled out two more tickets, on each of which he said Culbertson's name was written. This was in the presence of more than three persons; and if it amounted to a draw or decision by lot, we do hereby certify that W. W. Culbertson is duly elected to fill the office of Representative to the General Assembly of the Commonwealth of Kentucky from the said counties, and part of said county. If it did not amount to a draw, then we certify that it is a tie.

"Given under our hands this 14th day (being first Monday after the said election) of August, 1871.

"[Signed] STEPHEN NETHERCUTT,
"*Sheriff of Carter county, Ky.*

"Sworn to and subscribed before me, by Stephen Nethercutt, sheriff of Carter county, this 14th day of August, 1871.

"M. F. HAMPTON, D. C., for
"W. O. HAMPTON, C. B. C. C."

And thereupon demanded to be sworn and admitted to a seat on the floor of the House as the duly elected and returned member thereof from said counties; but the Clerk held and decided that the certificate presented by Mr. Williams did not conform to law, and was insufficient, and refused to administer the oath to him, or enroll his name, at present, as a member of the House.

The Clerk having announced that the first business in order was the election of a Speaker of the House,

Mr. Cooper nominated Hon. Joseph M. Davidson, of Floyd county.

Mr. Potter nominated Hon. Wm. W. Bush, of Simpson county.

Mr. Blackburn nominated Hon. James B. McCreary, of Madison county.

Mr. Ogilvie nominated Hon. Thomas H. Corbett, of Ballard county.

Mr. Baker nominated Hon. Wm. Cassius Goodloe, of Fayette county.

Mr. Varnon nominated Hon. James S. Chrisman, of Wayne county.

The vote being taken between those in nomination, the same resulted thus:

Those who voted for Mr. Davidson, were—

| | | |
|---|---|---|
| W. W. Baldwin, | R. L. Cooper, | E. A. Robertson, |
| W. W. Bush, | James B. McCreary, | J. P. Sacksteder, |
| George Carter, | Wm. Mynhier, | J. L. Waring—9. |

Those who voted for Mr. Chrisman, were—

| | | |
|---|---|---|
| S. C. Bell, | E. A. Graves, | J. J. McAfee, |
| Thomas H. Corbett, | C. P. Gray, | Bryan S. McClure, |
| W. W. Deaderick, | Wm. A. Hoskins, | C. W. Threlkeld, |
| Joseph P. Foree, | George M. Jessee, | T. W. Varnon—14. |
| James Garnett, | T. N. Johnson, | |

Those who voted for Mr. Bush, were—

| | | |
|---|---|---|
| Wm. Allen, | Wm. J. McElroy, | W. L. Reeves, |
| G. W. Bailey, | J. C. Moorman, | John P. Rowlett, |
| W. R. Bates, | J. L. Nall, | J. R. Sanders, |
| W. N. Beckham, | Julian N. Phelps, | James W. Snyder, |
| C. D. Foote, | Lewis Potter, | J. M. White—16. |
| E. Polk Johnson, | | |

Those who voted for Mr. McCreary, were—

| | | |
|---|---|---|
| George W. Anderson, | J. Guthrie Coke, | J. Rowan, |
| A. C. Armstrong, | Wm. G. Conrad, | Samuel M. Sanders, |
| Alpheus W. Bascom, | Joseph M. Davidson, | C. C. Scales, |
| John A. Bell, | M. Woods Ferguson, | Wm. Tarlton, |
| J. C. S. Blackburn, | T. S. Fish, | J. S. Taylor, |
| Wm. F. Bond, | James B. Fitzpatrick, | L. P. Trafton, |
| W. B. M. Brooks, | Clinton Griffith, | Joseph T. Tucker, |
| John S. Carpenter, | J. S. Lawson, | E. F. Waide, |
| B. E. Casselly, | T. J. Megibben, | S. H. Woolfolk, |
| C. M. Clay, jr., | W. A. Moran, | J. M. Wright—30. |

Those who voted for Mr. Corbett, were—

| | | |
|---|---|---|
| A. S. Arnold, | John W. Dyer, | John W. Ogilvie, |
| W. W. Ayers, | T. J. Jones, | Harry I. Todd, |
| James S. Chrisman, | M. E. McKenzie, | C. H. Webb—9. |

Those who voted for Mr. Goodloe, were—

| | | |
|---|---|---|
| R. T. Baker, | W. H. Evans, | Hiram S. Powell, |
| Thomas P. Cardwell, | Manlius T. Flippin, | Wm. Sellers, |

Josiah H. Combs, J. P. Hampton, T. J. Walker,
R. D. Cook, G. W. Little, Jonas D. Wilson,
J. E. Cosson, J. A. McCampbell, J. N. Wood—17.
Walter Evans, Mat. Nunan,

No person having received a majority of all the votes cast, the Clerk announced that no election of Speaker was had.

Mr. Baker then, at half-past one o'clock, P. M., moved that the House do now adjourn until to-morrow at ten o'clock, A. M.

And the question being taken thereon, it was decided in the negative. And so the House refused to adjourn at this hour.

Mr. McAfee offered the following resolution, viz:

*Resolved*, That after the second ballot the candidate receiving the smallest number of votes shall be dropped, and so on until an election can be reached.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Griffith, were as follows, viz:

Those who voted in the affirmative, were—

Wm. Allen, T. S. Fish, J. Rowan,
George W. Anderson, E. A. Graves, John P. Rowlett,
A. S. Arnold, C. P. Gray, J. P. Sacksteder,
G. W. Bailey, Clinton Griffith, James W. Snyder,
John A. Bell, E. Polk Johnson, J. S. Taylor,
Wm. F. Bond, T. J. Jones, C. W. Threlkeld,
John S. Carpenter, J. J. McAfee, L. W. Trafton,
George Carter, M. E. McKenzie, Joseph T. Tucker,
J. Guthrie Coke, J. C. Moorman, E. F. Waide,
Thomas H. Corbett, W. A. Moran, C. H. Webb,
J. E. Cosson, J. L. Nall, J. M. White,
W. W. Deaderick, Julian N. Phelps, S. H. Woolfolk,
John W. Dyer, Lewis Potter, J. M. Wright—40.
M. Woods Ferguson,

Those who voted in the negative, were—

A. C. Armstrong, Walter Evans, Wm. Mynhier,
W. W. Ayers, W. H. Evans, Mat. Nunan,
R. Tarv. Baker, James B. Fitzpatrick, John W. Ogilvie,
W. W. Baldwin, Manlius T. Flippin, Hiram S. Powell,
Alpheus W. Bascom, C. D. Foote, W. L. Reeves,
W. R. Bates, Joseph P. Foree, E. A. Robertson,
W. N. Beckham, James Garnett, J. R. Sanders,
S. C. Bell, J. P. Hampton, Samuel W. Sanders
J. C. S. Blackburn, Wm. A. Hoskins, C. C. Scales,
W. B. M. Brooks, George M. Jessee, Wm. Sellers,
Thomas P. Cardwell, T. N. Johnson, Wm. Tarlton,
B. E. Casselly, J. S. Lawson, Harry I. Todd,

C. M. Clay, jr.,
Josiah H. Combs,
Wm. G. Conrad,
R. D. Cook,
R. L. Cooper,
Joseph M. Davidson,
G. W. Little,
J. A. McCampbell,
Bryan S. McClure,
W. J. McElroy,
T. J. Megibben,
T. W. Varnon,
T. J. Walker,
J. L. Waring,
Jonas D. Wilson,
J. N. Wood—52.

The House then proceeded to ballot a second time for Speaker, which resulted thus:

Those who voted for Mr. Davidson, were—

W. W. Baldwin,
Alpheus W. Bascom,
George Carter,
R. L. Cooper,
Clinton Griffith,
J. J. McAfee,
James B. McCreary,
Wm. Mynhier,
E. A. Robertson,
J. L. Waring—10.

Those who voted for Mr. Chrisman, were—

S. C. Bell,
W. W. Bush,
Thomas H. Corbett,
W. W. Deaderick,
Joseph P. Foree,
James Garnett,
E. A. Graves,
C. P. Gray,
Wm. A. Hoskins,
George M. Jesse,
T. N. Johnson,
Bryan S. McClure,
C. W. Threlkeld,
T. W. Varnon—14.

Those who voted for Mr. Goodloe, were—

R. Tarv. Baker,
Thomas P. Cardwell,
Josiah H. Combs,
R. D. Cook,
J. E. Cosson,
Walter Evans,
W. H. Evans,
Manlius T. Flippin,
J. P. Hampton,
G. W. Little,
J. A. McCampbell,
Mat. Nunan,
Hiram S. Powell,
William Sellers,
T. J. Walker,
Jonas D. Wilson,
J. N. Wood—17.

Those who voted for Mr. McCreary, were—

George W. Anderson,
A. C. Armstrong,
G. W. Bailey,
John A. Bell,
J. C. S. Blackburn,
Wm. F. Bond,
W. B. M. Brooks,
John S. Carpenter,
B. E. Casselly,
C. M. Clay, jr.,
J. Guthrie Coke,
William G. Conrad,
John W. Dyer,
M. Woods Ferguson,
T. S. Fish,
James B. Fitzpatrick,
E. Polk Johnson,
J. S. Lawson,
M. E. McKenzie,
T. J. Megibben,
W. A. Moran,
J. Rowan,
J. P. Sacksteder,
Samuel W. Sanders,
C. C. Scales,
William Tarlton,
J. S. Taylor,
L. W. Trafton,
Joseph T. Tucker,
E. F. Waide,
S. H. Woolfolk,
J. M. Wright—32.

Those who voted for Mr. Bush, were—

Wm. Allen,
W. R. Bates,
W. N. Beckham,
Joseph M. Davidson,
C. D. Foote,
William J. McElroy,
J. C. Moorman,
J. L. Nall,
Julian N. Phelps,
Lewis Potter,
W. L. Reeves,
John P. Rowlett,
J. R. Sanders,
James W. Snyder,
J. M. White—15.

Those who voted for Mr. Corbett, were—

A. S. Arnold, T. J. Jones, Harry I. Todd,
W. W. Ayers, John W. Ogilvie, C. H. Webb—7.
James S. Chrisman,

No one having received a majority of all the votes cast, no election of Speaker was yet had.

And then, on motion of Mr. Cooper, the House adjourned until to-morrow morning at ten o'clock.

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## TUESDAY, DECEMBER 5, 1871.

At the hour of 10 o'clock, A. M., in pursuance to the order of adjournment of yesterday, the Clerk called the House to order.

Mr. Robert M. Carlisle, a member returned to serve in this House from the county of Kenton; Mr. Church H. Blakey, from the county of Logan, and Mr. F. A. Wilson, from the counties of Caldwell and Lyon, appeared, produced certificates of their election, and having taken the oath required by law, repaired to their seats.

The Clerk then announced that the first business in order was the election of a Speaker of the House.

And thereupon Mr. Varnon withdrew the name of Mr. Chrisman.

Mr. Ogilvie withdrew the name of Mr. Corbett.

The House then proceeded to vote as between those remaining in nomination; but before the result of the ballot was announced,

On motion of Mr. Corbett, Hon. James B. McCreary was, by unanimous consent, declared elected Speaker of this House; and being conducted to the Chair by Messrs. Blackburn and E. Polk Johnson, returned thanks for the honor conferred upon him, and recommended the observance of order and decorum.

On motion of Mr. Graves, Micah T. Chrisman, of Boyle county, was declared unanimously elected Clerk of this House; who thereupon took the oath required by law.

On motion of Mr. Coke, Thomas S. Pettit, of Daviess county, was declared unanimously elected Assistant Clerk of this House; who thereupon took the oath required by law.

The House then proceeded to the election of a Sergeant-at-Arms of this House.

For that office, Mr. Cooper nominated Mr. George R. Diamond.

Mr. Carpenter nominated Mr. Robert A. Thompson.

Mr. Beckham nominated Mr. T. J. Prewitt.

Mr. Griffith nominated Mr. A. H. Willingham.

The vote being taken as between those in nomination, it resulted thus:

Those who voted for Mr. Diamond, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | E. A. Robertson, |
| George W. Anderson, | Joseph P. Foree, | J. P. Sacksteder, |
| W. W. Baldwin, | Wm. Cassius Goodloe, | J. R. Sanders, |
| W. B. M. Brooks, | J. P. Hampton, | William Tarlton, |
| Thomas P. Cardwell, | E. Polk Johnson, | J. S. Taylor, |
| George Carter, | J. S. Lawson, | Joseph T. Tucker, |
| B. E. Cassely, | J. J. McAfee, | E. F. Waide, |
| J. Guthrie Coke, | William J. McElroy, | T. J. Walker, |
| Josiah H. Combs, | Wm. Mynhier, | J. L. Waring, |
| R. L. Cooper, | Julian N. Phelps, | J. M. Wright—31. |
| M. Woods Ferguson, | | |

Those who voted for Mr. Thompson, were—

| | | |
|---|---|---|
| Wm. Allen, | W. W. Deaderick, | Lewis Potter, |
| A. C. Armstrong, | John W. Dyer, | W. L. Reeves, |
| Alpheus W. Bascom, | T. S. Fish, | John Rowan, |
| John A. Bell, | C. D. Foote, | John P. Rowlett, |
| J. C. S. Blackburn, | C. P. Gray, | C. C. Scales, |
| Church H. Blakey, | George M. Jessee, | C. W. Threlkeld, |
| Robert M. Carlisle, | T. J. Megibben, | Harry I. Todd, |
| John S. Carpenter, | J. C. Moorman, | T. W. Varnon, |
| C. M. Clay, jr., | W. A. Moran, | J. M. White—29. |
| William G. Conrad, | J. L. Nall, | |

Those who voted for Mr. Prewitt, were—

| | | |
|---|---|---|
| W. N. Beckham, | W. H. Evans, | Mat. Nunan, |
| S. C. Bell, | James Garnett, | Hiram S. Powell, |
| Wm. F. Bond, | E. A. Graves, | Samuel W. Sanders, |
| W. W. Bush, | Wm. A. Hoskins, | William Sellers, |
| James S. Chrisman, | T. N. Johnson, | Jonas D. Wilson, |
| R. D. Cook, | Bryan S. McClure, | J. N. Wood—19. |
| J. E. Cosson, | | |

Those who voted for Mr. Willingham, were—

| | | |
|---|---|---|
| A. S. Arnold, | Clinton Griffith, | L. P. Trafton, |
| W. W. Ayers, | T. J. Jones, | C. H. Webb, |
| G. W. Bailey, | J. A. McCampbell, | F. A. Wilson, |

W. R. Bates, M. E. McKenzie, S. H. Woolfolk—14.
Thomas H. Corbett, John W. Ogilvie,

No one in nomination having received a majority of all the votes cast, the Speaker declared that no election was yet had.

Mr. Corbett then, at the request of Mr. Willingham, withdrew the name of Mr. Willingham from the list of candidates.

The House then proceeded to a second ballot, which resulted thus:

Those who voted for Mr. Diamond, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | Julian N. Phelps, |
| George W. Anderson, | James B. Fitzpatrick, | E. A. Robertson, |
| A. S. Arnold, | Joseph P. Foree, | J. P. Sacksteder, |
| W. W. Ayers, | Clinton Griffith, | J. R. Sanders, |
| W. W. Baldwin, | E. Polk Johnson, | Wm. Tarlton, |
| W. B. M Brooks, | T. J. Jones, | J. S. Taylor, |
| Thomas P. Cardwell, | J. S. Lawson, | Joseph T. Tucker, |
| George Carter, | G. W. Little, | E. F. Waide, |
| B. E. Casselly, | Wm. J. McElroy, | T. J. Walker, |
| J. Guthrie Coke, | M. E. McKenzie, | J. L. Waring, |
| Josiah H. Combs, | Wm. Mynhier, | S. H. Woolfolk, |
| R. L. Cooper, | John W. Ogilvie, | J. M. Wright—36. |

Those who voted for Mr. Thompson, were—

| | | |
|---|---|---|
| Wm. Allen, | Wm. G. Conrad, | Lewis Potter, |
| A. C. Armstrong, | Thomas H. Corbett, | W. L. Reeves, |
| G. W. Bailey, | J. E. Cosson, | John Rowan, |
| R. Tarv. Baker, | W. W. Deaderick, | John P. Rowlett, |
| Alpheus W. Bascom, | John W. Dyer, | C C. Scales, |
| W. R. Bates, | T. S. Fish, | C. W. Threlkeld, |
| John A. Bell, | C. P. Gray, | Harry I. Todd, |
| J. C. S. Blackburn, | George M. Jessee, | L. P. Trafton, |
| Church H. Blakey, | T. J. Megibben, | T. W. Varnon, |
| Robert M. Carlisle, | J. C. Moorman, | C. H. Webb, |
| John S. Carpenter, | W. A. Moran, | J. M. White, |
| C. M. Clay, jr., | J. L. Nall, | F. A. Wilson—36. |

Those who voted for Mr. Prewitt, were—

| | | |
|---|---|---|
| W. N. Beckham, | James Garnett, | Bryan S. McClure, |
| S. C. Bell, | Wm. Cassius Goodloe, | Mat. Nunan, |
| Wm. F. Bond, | E. A. Graves, | Hiram S. Powell, |
| W. W. Bush, | J. P. Hampton, | Samuel W. Sanders, |
| James S. Chrisman, | Wm. A. Hoskins, | Wm. Sellers, |
| R. D. Cook, | T. N. Johnson, | Jonas D. Wilson, |
| W. H. Evans, | J. J. McAfee, | J. N. Wood—23. |
| Manlius T. Flippin, | J. A. McCampbell, | |

No one in nomination having received a majority of all the votes cast, the Speaker declared that no election was yet had.

Mr. Beckham then withdrew the name of Mr. Prewitt.

And on proceeding to vote as between those remaining in nomination, the same resulted as follows:

Those who voted for Mr. Thompson, were—

| | | |
|---|---|---|
| Wm. Allen, | Thomas H. Corbett, | J. C. Moorman, |
| A. C. Armstrong, | J. E. Cosson, | W. A. Moran, |
| G. W. Bailey, | W. W. Deaderick, | J. L. Nall, |
| R. Tarv. Baker, | John W. Dyer, | Mat. Nunan, |
| Alpheus W. Bascom, | Walter Evans, | Lewis Potter, |
| W. R. Bates, | W. H. Evans, | W. L. Reeves, |
| W. N. Beckham, | T. S. Fish, | John Rowan, |
| John A. Bell, | C. D. Foote, | John P. Rowlett, |
| S. C. Bell, | James Garnett, | C. C. Scales, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | Wm. Sellers, |
| Church H. Blakey, | E. A. Graves, | C. W. Threlkeld, |
| Wm. F. Bond, | C. P. Gray, | Harry I. Todd, |
| Robert M. Carlisle, | George M. Jessee, | T. W. Varnon, |
| John S. Carpenter, | T. N. Johnson, | J. M. White, |
| James S. Chrisman, | J. A. McCampbell, | F. A. Wilson, |
| C. M. Clay, jr., | Bryan S. McClure, | Jonas D. Wilson, |
| Wm. G. Conrad, | T. J. Megibben, | J. N. Wood—51. |

Those who voted for Mr. Diamond, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | Hiram S. Powell, |
| George W. Anderson, | Manlius T. Flippin, | E. A. Robertson, |
| A. S. Arnold, | Joseph P. Foree, | J. P. Sacksteder, |
| W. W. Ayers, | Clinton Griffith, | J. R. Sanders, |
| W. W. Baldwin, | J. P. Hampton, | Samuel W. Sanders, |
| W. B. M. Brooks, | Wm. A Hoskins, | Wm. Tarlton, |
| W. W. Bush, | E. Polk Johnson, | J. S. Taylor, |
| Thomas P. Cardwell, | T. J. Jones, | L. P. Trafton, |
| George Carter, | J. S. Lawson, | Joseph T. Tucker, |
| B. E. Casselly, | G. W. Little, | E. F. Waide, |
| J. Guthrie Coke, | J. J. McAfee, | T. J. Walker, |
| Josiah H. Combs, | M. E. McKenzie, | J. L. Waring, |
| R. D. Cook, | Wm. Mynhier, | C. H. Webb, |
| R. L. Cooper, | John W. Ogilvie, | S. H. Woolfolk, |
| Joseph M. Davidson, | Julian N. Phelps, | J. M. Wright—46. |
| M. Woods Ferguson, | | |

Mr. Thompson having received a majority of all the votes cast, was declared elected Sergeant-at-Arms of this House; who thereupon took the oath required by law.

The House then proceeded to the election of a Door-keeper.

For this office, Mr. Hoskins nominated Mr. J. H. Hinkle.

Mr. McClure nominated Mr. L. Sanders.

Mr. E Polk Johnson nominated Mr. John A. Crittenden.

Mr. Scales nominated Mr. Elijah Hogan.

Mr. Carpenter nominated Mr. T. H. Moss.

Mr. Rowlett nominated Mr. A. G. King.

Mr. Bascom nominated Mr. M. H. P. Williams.

Upon proceeding to ballot as between those in nomination, the same resulted thus:

Those who voted for Mr. Moss, were—

| | | |
|---|---|---|
| John S. Carpenter, | William J. McElroy, | E. A. Robertson, |
| E. A. Graves, | J. L. Nall, | J. L. Waring—6. |

Those who voted for Mr. King, were—

| | | |
|---|---|---|
| G. W. Bailey, | M. Woods Ferguson, | J. S. Taylor, |
| W. R. Bates, | Manlius T. Flippin, | C. W. Threlkeld, |
| S. C. Bell, | W. A. Moran, | L. P. Trafton, |
| Church H. Blakey, | Julian N. Phelps, | E. F. Waide, |
| W. W. Bush, | Lewis Potter, | J. M. White, |
| B. E. Casselly, | W. L. Reeves, | J. N. Wood, |
| W. W. Deaderick, | John P. Rowlett, | S. H. Woolfolk—22. |
| John W. Dyer, | | |

Those who voted for Mr. Williams, were—

| | | |
|---|---|---|
| W. W. Baldwin, | Josiah H. Combs, | J. P. Hampton, |
| Alpheus W. Bascom, | Joseph M. Davidson, | J. S. Lawson, |
| Wm. F. Bond, | W. H. Evans, | G. W. Little, |
| Thos. P. Cardwell, | James B. Fitzpatrick, | Wm. Mynhier—13. |
| George Carter, | | |

Those who voted for Mr. Hinkle, were—

| | | |
|---|---|---|
| A. C. Armstrong, | R. D. Cook, | J. J. McAfee, |
| A. S. Arnold, | C. D. Foote, | John W. Ogilvie, |
| W. W. Ayers, | Wm. A. Hoskins, | C. H. Webb, |
| Thomas H. Corbett, | T. J. Jones, | F. A. Wilson—12. |

Those who voted for Mr. Crittenden, were—

| | | |
|---|---|---|
| George W. Anderson, | J. E. Cosson, | Hiram S. Powell, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | William Tarlton, |
| John A. Bell, | C. P. Gray, | Harry I. Todd, |
| J. C. S. Blackburn, | Clinton Griffith, | Joseph T. Tucker, |
| W. B. M. Brooks, | E. Polk Johnson, | T. W. Varnon, |
| C. M. Clay, jr., | M. E. McKenzie, | T. J. Walker, |
| R. L. Cooper, | T. J. Megibben, | J. M. Wright—21. |

Those who voted for Mr. Hogan, were—

| | | |
|---|---|---|
| Wm. Allen, | William G. Conrad, | George M. Jessee, |
| Robert M. Carlisle, | T. S. Fish, | C. C. Scales—6. |

Those who voted for Mr. Sanders, were—

| | | |
|---|---|---|
| Mr. Speaker(M'Creary), | T. N. Johnson, | J. P. Sacksteder, |
| W. N. Beckham, | Bryan S. McClure, | J. R. Sanders, |
| James S. Chrisman, | J. C. Moorman, | Samuel W. Sanders, |
| J. Guthrie Coke, | Mat. Nunan, | William Sellers, |
| James Garnett, | John Rowan, | Jonas D. Wilson—15. |

No one having received a majority of all the votes cast, the Speaker declared that no election was had.

Mr. Chrisman then offered the following resolution, viz:

*Resolved*, That in all future ballotings for Door-keeper the candidate receiving the lowest number of votes shall be dropped, and so on till an election is effected.

Which was adopted.

Mr. Scales then withdrew the name of Mr. Hogan.

The House then proceeded to a second ballot between those remaining in nomination, which resulted thus:

Those who voted for Mr. Moss, were—

| | | |
|---|---|---|
| John S. Carpenter, | George M. Jessee, | E. A. Robertson, |
| R. L. Cooper, | Wm. J. McElroy, | J. L. Waring—7. |
| M. Woods Ferguson, | | |

Those who voted for Mr. King, were—

| | | |
|---|---|---|
| Wm. Allen, | Manlius T. Flippin, | J. P. Sacksteder, |
| G. W. Bailey, | C. P. Gray, | J. S. Taylor, |
| W. R. Bates, | W. A. Moran, | C. W. Threlkeld, |
| S. C. Bell, | J. L. Nall, | L. P. Trafton, |
| Church H. Blakey, | Julian N. Phelps, | E. F. Waide, |
| W. W. Bush, | Lewis Potter, | J. M. White, |
| W. W. Deaderick, | W. L. Reeves, | S. H. Woolfolk—23. |
| T. S. Fish, | John P. Rowlett, | |

Those who voted for Mr. Williams, were—

| | | |
|---|---|---|
| W. W. Baldwin, | George Carter, | J. P. Hampton, |
| Alpheus W. Bascom, | Josiah H. Combs, | J. S. Lawson, |
| J. C. S. Blackburn, | Joseph M. Davidson, | G. W. Little, |
| Wm. F. Bond, | W. H. Evans, | Wm. Mynhier, |
| Thomas P. Cardwell, | James B. Fitzpatrick, | T. J. Walker—15. |

Those who voted for Mr. Hinkle, were—

| | | |
|---|---|---|
| A. S. Arnold, | C. D. Foote, | John W. Ogilvie, |
| W. W. Ayers, | Joseph P. Foree, | C. C. Scales, |
| Thomas H. Corbett, | Wm. A. Hoskins, | C. H. Webb, |
| John W. Dyer, | T. J. Jones, | F. A. Wilson—12. |

Those who voted for Mr. Crittenden, were—

| | | |
|---|---|---|
| George W. Anderson, | Wm. G. Conrad, | T. J. Megibben, |
| R. Tarv. Baker, | R. D. Cook, | Hiram S. Powell, |
| John A. Bell, | J. E. Cosson, | Wm. Tarlton, |
| W. B. M. Brooks, | Wm. Cassius Goodloe, | Harry I. Todd, |
| Robert M. Carlisle, | Clinton Griffith, | Joseph T. Tucker, |
| B. E. Casselly, | E. Polk Johnson, | T. W. Varnon, |
| C. M. Clay, jr., | M. E. McKenzie, | J. M. Wright—21. |

Those who voted for Mr. Sanders, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | E. A. Graves, | John Rowan, |
| A. C. Armstrong, | T. N. Johnson, | J. R. Sanders, |
| W. N. Beckham, | J. A. McCampbell, | Samuel W. Sanders, |
| James S. Chrisman, | Bryan S. McClure, | Wm. Sellers, |

J. Guthrie Coke, J. C. Moorman, Jonas D. Wilson,
James Garnett, Mat. Nunan, J. N. Wood—18.

No one having received a majority of all the votes cast, the Speaker declared that no election was had.

Under the resolution before adopted, the name of Mr. T. H. Moss was then withdrawn

Proceeding then to a third ballot for the office aforesaid, the same resulted thus:

Those who voted for Mr King, were—

Wm. Allen, Manlius T. Flippin, John P. Rowlett,
G. W. Bailey, C. P. Gray, J. S. Taylor,
W. R. Bates, W. A. Moran, C. W. Threlkeld,
S. C. Bell, J. L. Nall, L. P. Trafton,
Church H. Blakey, Julian N. Phelps, E. F. Waide,
W. W. Bush, Lewis Potter, J. M. White,
W. W. Deaderick, W. L. Reeves, S. H. Woolfolk—22.
T. S. Fish,

Those who voted for Mr. Williams, were—

Mr. Speaker(M'Creary), Josiah H. Combs, J. S. Lawson,
W. W. Baldwin, R. L. Cooper, G. W. Little,
Alpheus W. Bascom, Joseph M. Davidson, Wm. Mynhier,
J. C. S. Blackburn, W. H. Evans, Hiram S. Powell,
Wm. F. Bond, James B. Fitzpatrick, Joseph T. Tucker,
Thomas P. Cardwell, J. P. Hampton, T. J. Walker—19.
George Carter,

Those who voted for Mr. Hinkle, were—

A. C. Armstrong, C. D. Foote, John W. Ogilvie,
A. S. Arnold, Joseph P. Foree, C. C. Scales,
W. W. Ayers, Wm. A. Hoskins, C. H. Webb,
Thomas H. Corbett, T. J. Jones, F. A. Wilson—14.
John W. Dyer, J. J. McAfee,

Those who voted for Mr. Crittenden, were—

George W. Anderson, William G. Conrad, M. E. McKenzie,
R. Tarv. Baker, R. D. Cook, T. J. Megibben,
John A. Bell, J. E. Cosson, E. A. Robertson,
W. B. M. Brooks, Walter Evans, William Tarlton,
Robert M. Carlisle, Wm. Cassius Goodloe, Harry I. Todd,
John S. Carpenter, Clinton Griffith, T. W. Varnon,
B. E. Casselly, E. Polk Johnson, J. M. Wright—22.
C. M. Clay, jr.,

Those who voted for Mr. Sanders, were—

W. N. Beckham, T. N. Johnson, John Rowan,
James S. Chrisman, J. A. McCampbell, Samuel W. Sanders,
J. Guthrie Coke, Bryan S. McClure, William Sellers,
M. Woods Ferguson, William J. McElroy, J. L. Waring,
James Garnett, J. C. Moorman, Jonas D. Wilson,

E. A. Graves, Mat. Nunan, J. N. Wood--19.
George M. Jessee,

No one having received a majority of all the votes cast, the Speaker declared that no election was had.

Under the resolution before adopted, the name of Mr. J. H. Hinkle was then dropped.

Proceeding then to a fourth ballot between those remaining in nomination, the same resulted thus:

Those who voted for Mr. King, were—

| | | |
|---|---|---|
| Wm. Allen, | Walter Evans, | C. C. Scales, |
| George W. Anderson, | T. S. Fish, | J. S. Taylor, |
| W. W. Ayers, | Manlius T. Flippin, | C. W. Threlkeld, |
| G. W. Bailey, | C. P. Gray, | L. P. Trafton, |
| W. R. Bates, | W. A. Moran, | E. F. Waide, |
| S. C. Bell, | John W. Ogilvie, | C. H. Webb, |
| Church H. Blakey, | Julian N. Phelps, | J. M. White, |
| W. W. Bush, | Lewis Potter, | F. A. Wilson, |
| W. W. Deaderick, | W. L. Reeves, | S. H. Woolfolk—29. |
| John W. Dyer, | John P. Rowlett, | |

Those who voted for Mr. Williams, were—

| | | |
|---|---|---|
| W. W. Baldwin, | Joseph M. Davidson, | G. W. Little, |
| Alpheus W. Bascom, | W. H. Evans, | Wm. Mynhier, |
| J. C. S. Blackburn, | James B. Fitzpatrick, | Hiram S. Powell, |
| Wm. F. Bond, | C. D. Foote, | Joseph T. Tucker, |
| Thomas P. Cardwell, | Joseph P. Foree, | T. J. Walker, |
| George Carter, | J. P. Hampton, | Jonas D. Wilson, |
| Josiah H. Combs, | J. S. Lawson, | J. N. Wood—22. |
| R. L. Cooper, | | |

Those who voted for Mr. Crittenden, were—

| | | |
|---|---|---|
| A. S. Arnold, | Wm. G. Conrad, | M. E. McKenzie, |
| R. Tarv. Baker, | Thomas H. Corbett, | T. J. Megibben, |
| John A. Bell | R. D. Cook, | E. A. Robertson, |
| W. B. M. Brooks, | J. E. Cosson, | Wm. Tarlton, |
| Robert M. Carlisle, | Wm. Cassius Goodloe, | Harry I. Todd. |
| John S. Carpenter, | Clinton Griffith, | T. W. Varnon, |
| B. E. Casselly, | E. Polk Johnson, | J. M. Wright—23. |
| C. M. Clay, jr., | Wm. J. McElroy, | |

Those who voted for Mr. Sanders, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Wm. A. Hoskins, | J. L. Nall, |
| A. C. Armstrong, | George M. Jessee, | Mat. Nunan, |
| W. N. Beckham, | T. N. Johnson, | John Rowan, |
| James S. Chrisman, | T. J. Jones, | J. P. Sacksteder, |
| J. Guthrie Coke, | J. J. McAfee, | J. R. Sanders, |
| M. Woods Ferguson, | J. A. McCampbell, | Samuel W. Sanders, |
| James Garnett, | Bryan S. McClure, | Wm. Sellers, |
| E. A. Graves, | J. C. Moorman, | J. L. Waring—24. |

No one having received a majority of all the votes cast, the Speaker declared that no election was had.

Under the resolution before adopted, the name of Mr. M. H. P. Williams was then dropped.

Proceeding then with the fifth ballot for said officer, the same resulted thus:

Those who voted for Mr. Crittenden, were—

| | | |
|---|---|---|
| George W. Anderson, | William G. Conrad, | E. Polk Johnson, |
| A. S. Arnold, | Thomas H. Corbett, | William J. McElroy, |
| R. Tarv. Baker, | R. D. Cook, | M. E. McKenzie, |
| John A. Bell, | R. L. Cooper, | T. J. Megibben, |
| Wm. F. Bond, | J. E. Cosson, | Hiram S. Powell, |
| W. B. M. Brooks, | Joseph M. Davidson, | E. A. Robertson, |
| Thos. P. Cardwell, | M. Woods Ferguson, | J. P. Sacksteder, |
| Robert M. Carlisle, | Joseph P. Foree, | William Tarlton, |
| John S. Carpenter, | Wm. Cassius Goodloe, | Harry I. Todd, |
| B. E. Casselly, | Clinton Griffith, | T. W. Varnon, |
| C. M. Clay, jr., | Wm. A. Hoskins, | J. M. Wright—33. |

Those who voted for Mr. King, were—

| | | |
|---|---|---|
| Wm. Allen, | T. S. Fish, | W. L. Reeves, |
| W. W. Ayers, | James B. Fitzpatrick, | John P. Rowlett, |
| G. W. Bailey, | Manlius T. Flippin, | C. C. Scales, |
| Alpheus W. Bascom, | C. D. Foote, | J. S. Taylor, |
| W. R. Bates, | C. P. Gray, | C. W. Threlkeld, |
| S. C. Bell, | J. S. Lawson, | L. P. Trafton, |
| J. C. S. Blackburn, | W. A. Moran, | Joseph T. Tucker, |
| Church H. Blakey, | Wm. Mynhier, | E. F. Waide, |
| W. W. Bush, | J. L. Nall, | C. H. Webb, |
| George Carter, | John W. Ogilvie, | J. M. White, |
| W. W. Deaderick, | Julian N. Phelps, | F. A. Wilson, |
| John W. Dyer, | Lewis Potter, | S. H. Woolfolk—37. |
| Walter Evans, | | |

Those who voted for Mr. Sanders, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. P. Hampton, | Mat. Nunan, |
| A. C. Armstrong, | George M. Jessee, | John Rowan, |
| W. W. Baldwin, | T. N. Johnson, | J. R. Sanders, |
| W. N. Beckham, | T. J. Jones, | Samuel W. Sanders, |
| James S. Chrisman, | G. W. Little, | William Sellers, |
| J. Guthrie Coke, | J. J. McAfee, | T. J. Walker, |
| Josiah H. Combs, | J. A. McCampbell, | J. L. Waring, |
| W. H. Evans, | Bryan S. McClure, | Jonas D. Wilson, |
| James Garnett, | J. C. Moorman, | J. N. Wood—28. |
| E. A. Graves, | | |

No one having received a majority of all the votes cast, the Speaker declared that no election was yet effected.

Under the resolution before adopted, the name of Mr. L. Sanders was then dropped.

Proceeding then to take the sixth ballot between those remaining in nomination, the same resulted as follows, viz:

Those who voted for Mr. Crittenden, were—

| | | |
|---|---|---|
| George W. Anderson, | Josiah H. Combs, | J. A. McCampbell, |
| A. S. Arnold, | Wm. G. Conrad, | Bryan S. McClure, |
| R. Tarv. Baker, | Thomas H. Corbett, | Wm. J. McElroy, |
| W. W. Baldwin, | R. D. Cook, | M. E. McKenzie, |
| W. N. Beckham, | J. E. Cosson, | T. J. Megibben, |
| John A. Bell, | Joseph M. Davidson, | Mat. Nunan, |
| Wm. F. Bond, | W. H. Evans, | Hiram S. Powell, |
| Thomas P. Cardwell, | M. Woods Ferguson, | J. P. Sacksteder, |
| Robert M. Carlisle, | Wm. Cassius Goodloe, | Wm. Sellers, |
| John S. Carpenter, | Clinton Griffith, | Wm. Tarlton, |
| B. E. Casselly, | J. P. Hampton, | Harry I. Todd, |
| James S. Chrisman, | Wm. A Hoskins, | T. W. Varnon, |
| C. M. Clay, jr., | E. Polk Johnson, | T. J. Walker—39. |

Those who voted for Mr. King, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Manlius T. Flippin, | E. A. Robertson, |
| Wm. Allen, | C. D. Foote, | John Rowan, |
| A. C. Armstrong, | Joseph P. Foree, | John P. Rowlett, |
| W. W. Ayers, | James Garnett, | J. R. Sanders, |
| G. W. Bailey, | E. A. Graves, | Samuel W. Sanders, |
| Alpheus W. Bascom, | C. P. Gray, | C. C. Scales, |
| W. R. Bates, | George M. Jessee, | J. S. Taylor, |
| S. C. Bell, | T. N. Johnson, | C. W. Threlkeld, |
| J. C. S. Blackburn, | T. J. Jones, | L. P. Trafton, |
| Church H. Blakey, | J. S. Lawson, | Joseph T. Tucker, |
| W. B. M. Brooks, | G. W. Little, | E. F. Waide, |
| W. W. Bush, | J. J. McAfee, | J. L. Waring, |
| George Carter, | J. C. Moorman, | C. H. Webb, |
| J. Guthrie Coke, | W. A. Moran, | J. M. White, |
| R. L. Cooper, | Wm. Mynhier, | F. A. Wilson, |
| W. W. Deaderick, | J. L. Nall, | Jonas D. Wilson, |
| John W. Dyer, | John W. Ogilvie, | J. N. Wood, |
| Walter Evans, | Julian N. Phelps, | S. H. Woolfolk, |
| T. S. Fish, | Lewis Potter, | J. M. Wright—59. |
| James B. Fitzpatrick, | W. L. Reeves, | |

Mr. A. G. King having received a majority of all the votes cast, was declared to be elected Door-keeper to this House; who thereupon took the oath required by law.

Mr. Graves offered the following resolution, viz:

*Resolved*, That the rules in force in the House of Representatives at its final adjournment on the 23d March, 1871, be now adopted as the rules of this House for its government during this session, and that the Public Printer forthwith print the usual number of copies for the use of this House, with the following addition thereto: It shall not be in order to entertain any bill for the incorporation of any company, or for the creation or alteration of election precincts, or in relation to

any other local or private matter, in cases where the same is now, or shall hereafter be, provided for by general laws.

Mr. Chrisman called for a division of the question.

Pending the consideration of said resolution,

On motion of Mr. Bascom, the House adjourned until to-morrow morning at 10 o'clock.

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## WEDNESDAY, DECEMBER 6, 1871.

A message was received from the Senate, announcing that they had met in their Chamber, and having a quorum present, had elected their officers, and were ready to proceed to legislative business.

Mr. Hoskins offered the following resolution, viz:

*Resolved*, That a committee of three members of this House be appointed by the Speaker to wait upon the Senate and inform them that a quorum of this House being present, had duly organized, and were ready to proceed to legislative business.

Which was adopted.

And thereupon the Speaker appointed on said committee Messrs. Hoskins, Griffith, and Deaderick.

The House then took up the resolution offered by Mr. Graves on yesterday.

Mr. Cooper offered the following amendment by way of substitute for the original resolution, viz:

*Resolved*, That a committee of five be appointed to revise the rules of this House, and until they report, the rules adopted at the session of 1869–'70 be adopted.

The question was then taken on the adoption of the amendment proposed by Mr. Cooper, and it was decided in the affirmative.

Said resolution, as amended, was then adopted.

A message was received from the Senate, announcing that they had appointed a committee, to act in conjunction with a committee of this House, to wait upon the Governor, inform him of the organization of both Houses, and that they were ready to receive any communication he may be pleased to make to them.

Mr. Varnon offered the following resolution, viz:

*Resolved*. That a committee of three be apppinted to wait on the Governor, inform him that this General Assembly is now organized, and ready to receive any communication he may have to make, after having first advised the Senate of their appointment for this purpose,

and that they act in conjunction with the committee appointed by the Senate.

Which was adopted.

And thereupon the Speaker appointed Messrs. Varnon, Todd, and Chrisman on said committee.

And after a time the committee returned into the House, and Mr. Varnon, from the same, reported that they had discharged the duty assigned them, and were informed by the Governor that he would shortly transmit to each House a communication in writing.

Mr. McAfee offered the following resolution, viz:

*Resolved*, That the Sergeant-at-Arms furnish each member of this House with two newspapers, to be selected by the members respectively.

Mr. Cooper moved to amend said resolution by striking out the word "two" therein, and inserting in lieu thereof the word "three."

And the question being taken on the proposed amendment, it was decided in the negative.

Said resolution was then adopted.

The Speaker laid before the House the following communication, viz:

ST. LOUIS, Mo., December 3, 1871.

*To the Speaker of the House, Kentucky Legislature:*

DEAR SIR: I desire to deliver my lecture on "The Nation and its Capital" before the Legislature of Kentucky; and to do so, I desire the use of the Representatives Hall, if not contrary to the regulations made by the members. My lecture is free. Will you please present this matter to the House, and write or telegraph me at the earliest moment if I can have the use of the Hall. I would like the use of it about the 19th inst.

Very respectfully,

L. U. REAVIS,

Leave was given to bring in the following bills, viz:

On motion of Mr. Graves—

1. A bill to amend an act, entitled "An act to provide funds for paying troops raised for the defense of the State," approved February 18, 1864.

On motion of same—

2. A bill to amend the charter of the Ohio and Cumberland Railroad Company.

On motion of same—

3. A bill to charter St. Mary's College.

On motion of same—

4. A bill to repeal an act, entitled "An act to amend chapter 53,

Revised Statutes, title 'Interest and Usury,'" passed at the last session of the General Assembly.

On motion of same—

5. A bill to modify an act, entitled "An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors," passed at the last session of the General Assembly.

*Ordered*, That a select committee, consisting of Messrs. Graves, T. M. Johnson, and Garnett, prepare and bring in the 1st and 2d; a select committee, consisting of Messrs. Graves, Chrisman, and Nunan, the 3d; a select committee, consisting of Messrs. Graves, Flippin, and T. M. Johnson, the 4th; and a select committee, consisting of Messrs. Graves, T. M. Johnson, and Chrisman, the 5th.

The following petitions were presented, viz:

By Mr. Cooper—

1. The petition of Benjamin E. Woodworth, praying to be admitted to a seat in this House, as the duly elected member thereof from the county of Lewis, in the room of Thomas J. Walker, the sitting member.

By Mr. Deaderick—

2. The petition of D. L. Price, praying to be admitted to a seat in this House, as the duly elected member thereof from the county of Fayette, in the room of Wm. Cassius Goodloe, the sitting member.

Which were received, and the 2d referred to the Committee on Privileges and Elections.

The Speaker appointed the following committee, under the resolution offered by Mr. Cooper, for the revision of the rules of this House, viz:

Messrs. Cooper, Griffith, Graves, Coke, and Blackburn.

Mr. Cooper offered the following resolution, viz:

*Resolved*, That the ministers of the several churches in this city be requested to open the daily sessions of this House with prayer.

Which was adopted.

Mr. McAfee offered the following resolution, viz:

*Resolved*, That all reporters for newspapers who desire to report the proceedings of this House from day to day, are invited to seats on this floor.

Which was adopted.

Mr. Scales offered the following resolution, viz:

*Resolved*, That the courtesies of this House be extended to George Francis Train while in the city.

Which was adopted.

Mr. Griffith offered the following resolution, viz:

*Resolved*, That the use of this Hall, as requested, be tendered L. U. Reavis on the 19th inst., at 7 o'clock, P. M.

Which was adopted.

A message was received from the Governor by Mr. James, Secretary of State, which was taken up and read as follows, viz:

*Fellow-Citizens of the Senate and House of Representatives:*

In greeting you for the first time as the Governor of the Commonwealth, called by the partiality of her people to the discharge of Executive duties, I congratulate you upon the comparative prosperity of the State, and its exemption from many of the evils to which others less favored by Providence have been subjected. While in the interval since the adjournment of the last General Assembly war and internal strife have scourged a part of Europe, our own country has enjoyed peace—and while pestilence and famine have been the lot of some, health and plenty have blessed our land. In some of our sister States fires have desolated cities and fields, while to us a merciful Providence has extended His protecting care in this as in all things relating to our material welfare.

In other respects we have been equally favored. Our progress as a State has been steady and healthful. New avenues of trade and travel have been opened, and others are being successfully prosecuted to completion. Our schools have prospered, and the interests of education have been advanced under our recent enlightened and fostering legislation. Society is recovering from the pernicious effects of the late civil war, and there is a growing respect for law and a corresponding decrease of disorder. Our financial condition, as compared with that of the Federal or State Governments, is gratifying, and the burthens of taxation are not severe. It is, therefore, with unfeigned pride and gratulation that I greet you, and suggest for your consideration some of the matters which occur to me as of interest to you and the people.

STATE DEBT.

At the close of the fiscal year ending the 10th day of October, 1870, the entire State debt (exclusive of school bonds) was $1,424,394. On the 10th day of October, 1871, the close of the last fiscal year, the Commissioners of the Sinking Fund had redeemed and canceled, of that amount of outstanding bonds, $356,000—leaving a balance on that day unpaid of $1,068,394.

The bonds outstanding on the 10th of October, 1871, are described as follows:

| | |
|---|---|
| Bonds past due | $5,394 00 |
| Bonds maturing in 1871 | 59,000 00 |
| Bonds maturing in 1872 | 226,000 00 |
| Bonds maturing in 1873 | 439,000 00 |
| Bonds maturing in 1874 | 8,000 00 |
| Bonds maturing in 1875 | 20,000 00 |
| Bonds maturing in 1876 | 2,000 00 |
| Bonds maturing in 1894 | 141,000 00 |
| Bonds maturing in 1895 | 162,000 00 |
| Bonds maturing in 1896 | 6,000 00 |
| Total | $1,068,394 00 |

The resources of the Sinking Fund on the 10th of October, 1871, to meet the indebtedness of that date, are as follows:

| | |
|---|---|
| Balance in Treasury 10th October, 1871 | $281,855 52 |
| Amount belonging to Sinking Fund not transferred | 157,715 12 |
| Amount of balance of loan to Kentucky River Navigation Company | 5,000 00 |
| 7,789 shares of Kentucky Bank stock | 778,900 00 |
| 406 shares of Bank of Louisville stock | 40,600 00 |
| 260 shares of preferred stock in Louisville, Cincinnati, and Lexington Railroad | 26,000 00 |
| 2,178 shares of stock in Lexington and Frankfort Railroad, estimated at fifty cents | 108,900 00 |
| Bonds of Louisville and Frankfort Railroad | 74,519 50 |
| Stock in turnpike roads estimated at | 254,433 96 |
| Amount by revenue department, borrowed under several acts of the Legislature | 728,570,63 |
| | $2,456,494 73 |
| Deduct outstanding debt on 10th October, 1871 | 1,068,394 00 |
| Amount of excess of resources over debt | $1,388,100 73 |

It will be seen from this statement that I have not included in the estimate of the resources, to pay the outstanding indebtedness of the State, the balance due by the Federal Government for advances made during the war.

This balance, due on account of advancements, as shown by the books of the Third Auditor of the Treasury, as I am assured by the Quarter-Master General of the State, is $1,013,098 51, of which sum $525,258 72 stands adjusted by the accounting officers in the Treasury Department, but which has not yet been paid. Should these

claims, or any part of them, be collected, the resources of the Sinking Fund will be increased to that extent.

REVENUE PROPER.

| | |
|---|---|
| Amount received from sheriffs from 11th October, 1870, to the 10th October, 1871 | $771,103 69 |
| Amount received from corporations | 221,972 94 |
| Amount borrowed from Sinking Fund by authority of law | 200,000 00 |
| | $1,193,076 63 |
| Amount of expenditures from 10th October, 1870, to 10th October, 1871 | 1,298,488 49 |
| Deficit 10th October, 1871 | 105,411 86 |

To this deficit should be added unpaid claims against the Treasury for current expenses of the State, estimated by the Auditor at $75,000, and $181,063 33, unpaid appropriations, which swells the deficit on the 10th of October, 1871, to $361,475 21.

The total receipts for the fiscal year ending the 10th of October, 1872, are estimated at $983,028 03, and the total expenditures, estimated for the same period, exclusive of the amount owing to the Sinking Fund, is $1,269,500—leaving, according to these estimates of receipts and expenditures, a deficit in the Treasury at the close of the current fiscal year of $286,471 97.

And if additional appropriations should be made during the sitting of the present General Assembly, this deficit will be increased in that proportion.

That this deficit exists should not be a matter of surprise, in view of the fact that the necessary current expenses of the State have so largely increased since the war.

The necessary annual expenses of the several charitable institutions alone have, within this period, more than doubled. The whole amount expended during the fiscal year ending the 10th of October, 1865, for this purpose, including the cost of conveying pauper lunatics to the asylums, was $104,517 45; whilst the expenses of the same institutions during the fiscal year ending 10th October, 1871, amounted to $243,022 92; showing an increased expenditure for this one purpose, during the last fiscal year, over that of 1865, of $138,505 47.

In addition to this largely increased expenditure for necessary and indispensable expenses, the Legislatures have been compelled, in order to accommodate and supply the wants and necessities of these unfortunate classes of our population, to appropriate from time to

time large sums of money. Within the period stated, $282,133 have been paid out of the public Treasury on account of these appropriations.

The increased expense on account of criminal prosecutions has also been very large. During the fiscal year ending 10th of October, 1865, the cost of prosecuting criminals, including jailers' fees, and rewards paid for apprehending and delivering persons charged with crime, was $86,080 18; whilst the amount paid for similar purposes during the fiscal year ending 10th October, 1871, was $192,002 88; showing an increased expenditure under this head of $105,922 70. These two items of increased annual expenses, with the appropriations aforesaid, aggregate, as will be seen, the sum of $526,561 17, being an amount largely in excess of the existing deficiency in the Treasury, less the amount owing the Sinking Fund for money borrowed.

This subject of recurring annual deficits in the Treasury was considered by the last Legislature. That body, recognizing the superabundance of assets belonging to the State, but dedicated to the exclusive purpose of paying the public debt, and seeing that the debt had been reduced to a merely nominal sum compared to its original magnitude, passed an act, which was approved 7th March, 1871, providing for the sale of those assets, and paying off the public debt, with the view that the excess of moneys—now set apart for sinking fund purposes—might be diverted into the Treasury, and thereby meet the deficiency. In pursuance of the provisions of that act, I appointed Hon. Lyttleton Cooke, of the city of Louisville, agent for the State, to buy in her outstanding bonds. He entered at once upon the discharge of his duties, and his report to me accompanies this message. It will be seen that he could most probably have bought in the entire bonded debt; but it was not deemed prudent to so direct, until it was known that the funds were ready in the hands of the Commissioners of the Sinking Fund to meet and honor his draft. The Commissioners of the Sinking Fund have not, as yet, sold any of the stocks of the State in banks, railroads, &c., referred to, and directed to be sold, in said act. Their report will show that they have made overtures to effect such sale, from time to time, since last spring, but have not been able to do so upon such terms as they thought they ought to accept. They are now engaged in negotiations which promise some success. If these stocks were all sold at their cash value, the amount produced, as is seen from the preceding

statements, would be greatly more than enough to pay the public debt, and meet the wants of the Treasury. Until that is done, it is incumbent upon the Legislature to make other provisions to supply existing deficiencies—a duty which I cannot too strongly urge upon you. Indeed, I regard it of paramount importance that the representatives of the people should not return to their constituencies without being able to say to them that they had provided the means necessary to liquidate every just demand against the Treasury, and thus vindicate the honor and credit of the State. It would be a just cause of reproach if you were to fail to do so, and a great wrong to those who hold claims against the Commonwealth. It is peculiarly within your province to determine the way and manner by which this deficiency is to be provided for; but I respectfully suggest that it may be done in one of three ways: First, by increasing the rate of taxation on the taxable property of the State for a limited time. Second, by increasing and equalizing the valuation of property subject to taxation. Third, by issuing the bonds of the State for an amount sufficient to raise the sum required.

The first two modes, however, in my judgment, are objectionable in this, that if either of them is adopted, the means which are needed *now* cannot be made available until the revenue of 1872 is collected and paid in, thus compelling a large number of the creditors of the State to wait twelve months for their money, which is now due; besides, since this provision need be only temporary, it would hardly be good policy to raise the people's taxes unless the exigencies were greater.

I therefore recommend that the Commissioners of the Sinking Fund be authorized and empowered to issue the bonds of the State for an amount—say five hundred thousand dollars—bearing a rate of interest not exceeding eight per cent. per annum, payable semi-annually, and due within five years from date, reserving, however, on the face of each bond, the right to redeem them in one year, on giving due and sufficient notice through the public prints. It is confidently believed, that, before these bonds would mature, the entire State debt (exclusive of the school bonds, which are not redeemable), will be fully paid out of the present resources of the Sinking Fund, and a surplus left in the Treasury amounting to nearly, if not quite, $1,500,000, provided the claim against the Government of the United States, for money advanced by this State during the

war, be collected. And when the bonded debt of the State is paid off, it will then be within the power of the Legislature to divert the entire receipts of the Sinking Fund to the relief and in aid of the Treasury, except so much of them as may be necessary to pay the interest on the school bonds.

The Auditor estimates that, after the bonded debt of the State is liquidated, and after all the stocks and bonds held by the Commissioners of the Sinking Fund, as a part of the resources of that Fund, are sold, and the proceeds applied to the payment of the State debt, and after leaving an amount sufficient to pay the interest on the school bonds in the Sinking Fund, there will be then left $250,000 accruing annually, which may safely and prudently be diverted into the revenue proper. This amount, added to the present resources of the revenue, it is believed, will be amply sufficient to meet all ordinary demands against the Treasury.

An act was passed and approved 22d March, 1871, entitled "An act to change the time for the payment of the revenue into the Treasury, and to amend the revenue laws." The effect of this act has already been to increase the embarrassed condition of the finances, by diminishing the receipts into the Treasury at a period of the year when money is most needed, and at the same time retarding the collection of the public revenue. The Auditor informs me that the receipts into the Treasury at the close of last month were $850,000 less than at the same period of time last year. The effect of this act is virtually to extend to the sheriffs and other revenue collectors time until the fourth Monday in June in which to pay into the Treasury the public revenue, inasmuch as no judgment can be taken against them until that time, there being no fiscal court earlier than that date. In my judgment this act is a serious injury to the financial interests of the State, without any corresponding benefit to the people. I therefore recommend its repeal.

The present system of assessment and valuation of the landed property of the State for taxation has been a subject of much thought and reflection with me, and demands most serious consideration at your hands. No system of taxation can be just without being equal, or as nearly so as practicable. It certainly is the wish of all the people of this State to be just to each other, and to have the burthens of taxation equally distributed. Yet this is far from being so. An examination of the Auditor's Report will show how unequal

and unjust are the present assessed values of the lands of the State. In some few counties they seem to be valued full high, whilst in a great majority of the counties they are assessed at an average rate not exceeding half their value. I most respectfully call your attention to this evil, and recommend that you pass some act which will secure its correction.

It will doubtless become your duty to make appropriations of various sums of money from the public Treasury during your term of office. I shall cheerfully co-operate with you in all proper and just appropriations, yet I urge the strictest economy in all such legislation; and I especially recommend that no bill be passed appropriating money without providing for its payment. The good old rule, "pay up as you go," applies as well in legislation as in private affairs.

THE CLAIM UPON THE GENERAL GOVERNMENT FOR EXPENSES INCURRED BY THE STATE IN DEFENCE OF THE UNITED STATES.

This claim, commonly known as the "Kentucky War Claim," has not as yet been paid. Proper vouchers to the amount of five hundred and twenty-five thousand two hundred and fifty-eight dollars and seventy-two cents ($525,258 72) have been settled and passed upon by the proper accounting officers of the Treasury of the United States, as required by the act of Congress, approved 27th day of July, 1861; and the Secretary of War drew his requisition for a warrant in favor of the State for that amount on the 30th day of June last. The Secretary of the Treasury of the United States declined to comply with this requisition, for the reason, as alleged by him, that the claim did not come within the provisions of certain rules adopted by his predecessor, which he did not feel himself justified in setting aside. It is to be regretted that the Secretary felt himself constrained to abide by the construction of the act of Congress, as set forth in these rules; but he has announced that his opinion, as given, "must be considered as the final disposition of the case, so far as the Treasury Department is concerned." Under this decision the only alternative left to the State was to appeal to Congress or the Supreme Court of the United States. The latter was adopted, and that tribunal now has the case under consideration. It is to be hoped that their judgment will be favorable to the State. Should it, however, prove otherwise, the only means left will be an application to Congress. As the claim is admitted to be just, and as the Secretary of

the Treasury has only declined payment on account of what he conceived to be a proper regard to the rules adopted by his predecessor, I cannot entertain a doubt but that the Congress of the United States, actuated by that spirit of justice and magnanimity becoming a great government, will speedily provide, by proper enactment, for the payment not only of the amount already settled, but for the entire claim.

SALE OF TURNPIKE STOCK.

The last Legislature passed an act directing the Commissioners of the Sinking Fund to sell the stock owned by the State in turnpike roads, but provided that they should first ascertain its probable value, and then that the sale should secure at least two hundred thousand dollars. In accordance therewith the Commissioners appointed an agent, whose report is now on file in their office, showing the proximate value of the stock. They have also caused advertisements to be published, and are endeavoring to effect the sale as the statute directs. A further communication on this subject will be laid before you within this session.

LAW AND ORDER.

That there has been, in certain localities within the State, a degree of disorder and a reckless disposition to disregard and defy the law, is a fact which requires consideration. Just what the Legislature can, or ought to do, to remedy this evil, it is difficult to determine. There are already upon the statute books of the State ample laws, with adequate penalties, for all crimes and misdemeanors. The difficulty lies not in the want of penal statutes, but in their enforcement. Upon both these points much unjust criticism has been indulged, toward both the Legislature and the civil officers of the State. The lawlessness has, in some instances, assumed an organized form, executing its violence and perpetrating its acts under cover of the night, by bodies of men too powerful to be resisted by the citizens, and so disguised that they cannot be recognized and brought to trial for their misdeeds; and thus are enabled to defy both the law and its officers. This state of things is to be deeply deplored, and should be corrected as speedily as possible. There is no safety to the public peace but in the observance and enforcement of law, and the whole power and force of the Commonwealth, if need be, should be exerted for the protection of her humblest citizen. The mob,

when once aroused, does not discriminate between the innocent and the guilty, and often, upon a bare accusation, hurries its victim to punishment without trial or proof of guilt. In such a state of things there is no safety for the life or liberty of any citizen, since the purest and most innocent may fall a sacrifice to the passions and prejudices of the hour upon a charge utterly wanton and malicious, preferred by some one who has the ear of the mob.

We can understand how the commission of an atrocious and revolting crime in a community may so outrage public sentiment as to provoke summary punishment by an infuriated populace. Such occurrences have existed in all nations and under all governments; and whilst they are to be deprecated, yet, being only occasional outbreaks, excited by the perpetration of enormous crimes, they do not threaten any serious or permanent danger to the peace and safety of the country.

But when men organize themselves into vigilance committees, clans, or leagues, or whatsoever other name they may assume, with the avowed or practical purpose of taking the law into their own hands, to inflict punishment upon any member of the community who may be obnoxious to them, they become themselves the most dangerous class of law-breakers; they have all the elements of a mob; *they are a mob*, and *a mob is no remedy for anything;* and, if acting in such unlawful combination, they inflict death upon any one, they and all who give aid, encouragement, or countenance to their act, are guilty of *murder*. It matters not how guilty or how heinous the crime of their victim, their crime is still murder. The number or respectability of those engaged in the commission of a crime cannot sanctify the deed or extenuate their guilt; but rather aggravates the offense, and intensifies the danger to the public peace. Not only the officers of the Commonwealth, but all good citizens, should feel it to be their solemn duty to discountenance all such lawless acts, and to bring their perpetrators to trial and punishment. Disorder ever tends to reproduce and multiply itself, and in its presence no right of the citizen is secure. Besides, the influence of the evil-doer in this case involves much more than insecurity and injustice to good and law-abiding citizens. To permit such outrages to go unpunished tends to impair among the people that reverence for the authority of law, which is the chief safeguard of society, and to destroy that confidence in the ability of Government to protect his life and vindicate his rights, which is the just foundation of the citizen's allegiance, and

strikes a blow at the fabric of State rights, resting as it does on the maintenance of law and order, which may be disastrous to our civil and political liberty.

In every instance brought legally to the notice of the Executive, all the means authorized by law have been employed to secure the arrest and trial of guilty parties. Rewards have been offered; requisitions issued; the militia ordered to render assistance in the arrest of criminals, and the public invoked by proclamation to discountenance the offenders, and aid in securing their punishment; and though acts perpetrated by such organized bands are decreasing in all sections of the Commonwealth, yet we cannot claim that they have entirely ceased. Whether any further legislation for their suppression is necessary, and if so, of what nature, is a matter for your deliberation and decision.

I will suggest that the *posse comitatus*, which is the only reliance of the civil officer for aid in pursuing and arresting offenders under the law at present, is not adequate to the emergency, in cases of the sort under consideration. Lawless bands are usually drilled and always armed; whereas, the *posse* are neither drilled nor armed, and hence are not prepared to encounter the offenders. To organize for duty companies of militia in localities annoyed by law-breakers is expensive, and has, when the experiment has been made, not proven efficient. There is too much machinery required to bring the ordinary militia organization into the field. Long before the necessary orders can be procured, and arrangements made for pursuit, the law-breakers have disappeared. I shall certainly "take care that the laws be faithfully executed;" but the powers and duties of the Executive in this regard are prescribed in the laws upon our statute books; and it will be seen that he is restricted, in the use of the militia, and in the offering of rewards for arrest, to the call of certain other officers. I recommend that you pass such additional laws as shall be necessary to more certainly reach the various forms of crime as it crops out at the hands of organizations and other evil-disposed persons, so much to the terror and shame of the people. I submit to your wisdom whether you should not enact some law imposing more stringent and severe penalties upon public officers for their failure and neglect to look after and enforce the penal and criminal laws of the State. It is apparent that there has been too much neglect in this regard. I also most respectfully suggest that you provide additional means by law for the capture and bringing to trial of offenders. Whether this



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should be by the organization of a police force in each county, and such other localities needing it, or in some other way, your wisdom will determine.

I am profoundly impressed with the urgent necessity of something being done to effectually check and break up these disorders; and the people of Kentucky, in my opinion, demand and expect this Legislature to provide their officers with additional means to secure such desirable end.

I appeal to you, the honored representatives of a generous constituency, to provide a remedy for these evils. I feel sure that the people of Kentucky will, in their patriotic devotion to their country, their love of order and good government, and their keen appreciation of the honor of the State, not only approve your action in the premises, but welcome any burthen such legislation may render necessary.

### CONFLICT OF JURISDICTION.

It cannot be doubted that much of the lawlessness existing among us has been provoked and aggravated by the unwarranted interference of Federal authority in our local affairs, and its intrusive assumption of jurisdiction in administering the laws of this Commonwealth. Under this assumed jurisdiction, citizens who had been arrested and held for trial by the State tribunals for offenses against colored persons, have been seized by Federal officers, taken to distant points, and deprived of the right of trial by a jury of the vicinage, and the parties subjected to great annoyance and expense, and sometimes to onerous and unreasonable penalties. The fact that offenses against only one class of our population are brought before that court, leaves an impression upon the popular mind that the Federal jurisdiction is asserted and enforced only for the purpose of aggravating the prejudices between the races, and promoting the interests of party. I am constrained to believe that this condition of things has tended to produce much of the lawlessness which still disturbs the good order of society in our State.

Already a case is pending before the Supreme Court of the United States, in which the question of the jurisdiction of the Federal Court in the class of cases alluded to is involved, and it is to be hoped that a decision will be reached at an early day, and that it will be such as to remove this cause of irritation.

Even if it is conceded that the right of jurisdiction claimed by the Federal Court is strictly constitutional, still the exercise of that right

would be more than injudicious—it would be mischievous and productive of evil. The fact that it discriminates between the two races, favoring the negro and oppressing the white man, would be a constant source of trouble. If a white man is charged with a capital crime, committed against a negro, it wrests him from under the authority and protection of the sovereign and independent State of which he is a citizen—if, indeed, sovereignty and independence can be predicated of a State in such a case—deprives him not only of the benefits of its statutes, but of his rights at common law, such as his right of trial by a jury of his vicinage, incarcerates him in a distant prison among strangers, away from sympathizing friends and the facilities of proving his innocence, which his own neighborhood would afford him, and with the testimony of a worthless negro weighing down that of the most trustworthy of his own race. Can you wonder that, to the high-spirited and justice-loving citizen of Kentucky, a court, otherwise honored, should, in the exercise of such jurisdiction, become as odious as ever the Star-Chamber was to the friends of liberty in England? Again, such jurisdiction, whether intended or not—and if intended, a viler purpose never dishonored the legislation of a nation—will tend inevitably not only to widen the breach which nature has made between the races, but to array two classes of citizens in permanent political antagonism. Whatever honest difference of opinion upon questions of Federal policy may have in the past divided our citizens into Federalists and Democrats, Whigs and Democrats, Know-Nothings and Democrats, Republicans and Democrats, all have felt proud in calling themselves citizens of our noble old Commonwealth. All have been zealous in defense of the rights, the interests, and honor of their State. But we have reason to fear this will not be so with the negro under the political tuition he is now receiving. The very existence of a Federal court, exercising special jurisdiction in his favor, coupled with other Federal measures, will serve to impress upon him a lesson which he has already received from his teachers, that he holds his civil rights as a "*Federal citizen*," not as a citizen of Kentucky. Once thoroughly imbued with this lesson, he will pride himself in being a citizen, not of this Commonwealth, but "of the nation"—nay, absurd as it may sound, of *the Federal Government*. The rights and interests of the State will be as nothing, and less than nothing, to him, and he will be a willing tool, ready and prepared when the struggle shall come, for subverting the rights and liberties of the State, and laying them at the feet of a usurping central power.

This conflict of Federal and State jurisdiction will, sooner or later, if not remedied, produce the most serious consequences. I have been unable to find in the Federal Constitution any grant of power to the General Government which would authorize the punishment, by Federal authority, of breaches of the State laws. We have a State law denouncing the penalty of death against one citizen for murdering, within the State, another. So have we State laws punishing assaults and batteries, affrays, &c., committed within the jurisdiction of the State. If Congress has passed any law punishing these offenses, when committed within the jurisdiction of the State, it is certainly without warrant of the Constitution. It was never designed by the framers of that instrument that the local police of the States should be assumed by the Federal power; and the fact that this, in a great measure, is now being done through the instrumentality of the Federal courts and the military, is cause for the greatest apprehension and alarm for the safety of our institutions. Those who are responsible for these unwarranted assumptions of power have attempted to justify them on the ground that the State is unable, through her officers, to suppress crime and enforce the laws. This charge against the State is untrue; and if left to herself, and not interfered with, she would soon suppress the law-breakers, and secure as perfect order as we ever had. It is well known that our State, in common with all her sisters, reaped her share of the lawlessness and desperate characters engendered by the late civil war; and that outbreaks and violations of law have resulted in the last few years from the great number of this class in all the States; but that this should justify the displacement of State jurisdiction, and the setting up an unwarranted Federal power in its stead, is preposterous. We must not, however, allow this assumed interference in our local affairs to silence or lessen our efforts to capture and bring to punishment all violators of law and good order in our State.

TESTIMONY.

Whilst domestic slavery existed among us, it was deemed necessary and expedient to enact laws discriminating in favor of the dominant race, and restricting the rights of the slave. Such are the laws which still remain on our statute books, imposing restrictions on negro testimony. That this legislation was due mainly, if not solely, to the relation of the two races as master and slave, and that

the incompetency of the negro to testify was regarded as simply a legal and statutory, and not a natural disability, is clear, from the fact that in civil and criminal actions, wherein his own race alone was interested, he was recognized by law as a competent witness. With the abolition of African slavery the reason of the law on this subject has ceased, and from whatever motives of prudence these statutes have been retained hitherto, I think the time has arrived in which their repeal is required, both by justice and expediency. The late amendments to the Constitution of the United States, however wrongfully obtained, and the Congressional legislation under them, have not only emancipated the negro, but invested him with, and he is now in the actual enjoyment of, both civil and political rights.

We feel indignant and abhor the manner in which these amendments were adopted, and have no sympathy or countenance of approval for very much they contain. And whilst we regard some of the legislation of Congress, claiming to be in pursuance thereto, as outrageously unconstitutional and oppressive, and feel determined, with firm tenacity of purpose, to rest not until, in a legal and proper mode, they, the amendments and legislation, are repealed or modified by judicial interpretation or otherwise, so as to harmonize with free government—still, we are bound to recognize and give effect to these amendments and this legislation, until so repealed or changed, as the supreme law of the land. Moreover, our own laws have recognized the negro as a citizen; and I am satisfied that, so fixed is the public sentiment of Kentucky upon this point, no political party will be able, nor will any considerable number of our citizens ever desire, to call in question his right of citizenship.

As a citizen, therefore, with all the avenues of industry open to him, competent to hold and convey property, to incur the obligation of contract, to sue and be sued, plead and be impleaded, in all our courts, the law should secure to him the amplest protection of those rights which it has conferred upon him. In declaring the legal competency of negro testimony, however, we are not bestowing a franchise on an inferior race, but doing an act of justice to the whole community. The question to be considered is not, Shall the negro have the right to enter the witness-box; but this: Shall a citizen, shall any person, whose life, liberty, or property is in jeopardy by judicial proceedings, or shall the Commonwealth, prosecuting the claims of justice, have a right to arrive at all the facts of a case—

summoning, if need be by compulsory process, to the witness-stand, all who have knowledge of those facts, and are rationally competent to state them? No right has been held dearer at all times and more jealously guarded than this, by all English-speaking people.

The common law, as given by Blackstone, teaches us that "all witnesses, of whatever religion or country, that have the use of their reason, are to be received and examined, except such as are *infamous*, or such as are interested in the event of the cause. All others are competent witnesses, though the jury, from the circumstances, will judge of their credibility." The exigencies of slavery made it necessary and proper for the public welfare to declare, by statute, that the testimony of a negro, however valuable and trustworthy, should not be received in legal proceedings against a white man; but that the State should continue to prohibit to its courts the use of such evidence, often highly important, and even essential to the due administration of justice, when the necessity which justified such prohibition no longer exists, is, to say the least, very impolitic. We must bear in mind, also, that this state of things will not only often tend to defeat the claims of justice, but furnish a pretext for perpetuating that conflict of jurisdiction between the Federal and State courts which is so irritating to our people. Moreover, there is diversity of ruling in our State courts on this subject. Able and conscientious judges have felt compelled, under their interpretation of the amendments to the Federal Constitution, to declare the laws of this Commonwealth, restricting negro testimony, null and void; and have accordingly admitted that class of testimony in their courts, contrary to the statutes. Other judges of equal ability and integrity enforce the provisions of these statutes, and exclude negro testimony; and thus the same uniform rule upon this subject does not prevail all over the State. However much this diversity of judicial decisions, in a matter of such grave importance, is to be regretted, it is, perhaps, inevitable, and uniformity can scarcely be expected so long as the legislation in question remains upon our statute books.

It has been objected that, by admitting the negro to testify, we will greatly increase the number of worthless witnesses in our courts. This is no doubt true; just as by granting universal suffrage, even to the white population, the number of pliant voters at the polls is greatly increased. Yet, in either case, it would be folly to take away the right because it is liable to abuse; with this difference, however, that

suffrage being a political franchise, the State may grant or withhold it as seems best for the public good, whilst to have the benefit of competent testimony is a civil right, founded on natural equity, sacred and indefeasible, which cannot be justly denied to any person. Besides, the abuse of the witness-box is provided with a remedy which that of the ballot-box has not. Votes do not vary in value; testimony does. Ballots are merely counted; evidence is weighed. The judge decides upon the legal competency of a witness; the jury judges of his intellectual and moral competency—his credibility; and often, when a score of witnesses have testified in a case, the evidence of two or three of them, of superior intelligence and character, has determined the verdict. It is a popular apprehension, that if we admit the negro to testify in the courts, we will be led to recognize his competency also as a juror. Did I believe that the adoption of this measure could have such a result, I should cease at once to favor it; for the wrong thereby inflicted upon the interests of public justice, in my opinion, would more than counterbalance all the benefits that might be derived from unrestricted testimony. Not only is the freedman, in his present condition, utterly incapable of discharging aright the duties of such a trust; but, I am convinced that, whatever culture may do for him—how great soever may be his intellectual and moral improvement in the future—the difference of race and color, with the inveterate prejudices attached to them, will indelibly mark him as belonging to a distinct and inferior caste; and no people of Caucasian birth will voluntarily intrust him with such jurisdiction over the life and fortunes of a citizen.

There is no cause for apprehension. The rights are distinct, and rest upon different principles. There is no parity of reason in the two cases, and all codes of jurisprudence have placed their claims upon different grounds. When a person under our law is indicted for a capital offense, a minor, a woman, a man who is not a householder, a foreigner, and, if the accused is of his own race, a negro, are competent witnesses in the case; but none of them can enter the jury-box. A lad of fourteen may give a clear, intelligent statement of facts which may determine the verdict of the jury; yet he would be utterly incompetent as a juror to represent the awful majesty of the law, and the public justice of his country, to judge of the law and evidence, and render a decision touching the life of a fellow-being. The laws of most nations, ancient and modern, go beyond ours, and require additional qualifications in those intrusted

with the duties of so solemn and responsible an office, carefully providing that no one indicted for felony shall be tried by those who are not, at least, his peers; and to subject any person to trial by jurors of an inferior race would not be sanctioned, either by natural equity or any laws found in the codes of civilized nations.

Satisfied, therefore, of both the wisdom and justice of the proposed measure, I earnestly recommend that an act be passed declaring the legal competency of the negro as a witness, subject only to the same restrictions as all other citizens, and repealing all laws on our statute books which are in contravention thereof.

I recommend also that you pass a law, with proper restrictions and limitations, extending our rules of evidence, so as to allow parties to civil actions, and all interested in the issue, to be competent to testify as witnesses upon the trial. This has been found to work well in the courts of the United States, in England, and in many of the States of this Union, and I believe it will facilitate the ends of justice, and be found to be an improvement on our own system.

EDUCATION.

The report of the late Superintendent of Public Instruction, and the suggestive report of the present incumbent, will call your attention to the very gratifying and hopeful working of the educational department of the State. It will be seen that they both recommend various changes and improvements in the present laws—in many of which I doubt not you will heartily concur. I trust you will give this subject your careful consideration, and provide every facility necessary for the acquisition of knowledge to the youth of our State. There is no subject upon which you are called to legislate of more importance to the public welfare, and which should excite a more earnest interest in all who love their country and their kind. The stability of our free institutions, and the good order of society, rest upon the virtue and intelligence of the people, to the promotion of which nothing except religion, which is beyond the sphere of your authority, can more efficiently contribute than a wise and thorough system of popular education. The cheerfulness with which the people have voluntarily assumed the burthen of taxation in support of a system of State education, is an assurance of their deep interest in this matter, and of their hearty sympathy with you in all measures which are necessary to its success.

The taxes heretofore imposed upon the colored people for the education of their children were, by an act of the last Legislature, taken off; and for the year 1871 that portion of our population paid taxes upon their property only for revenue purposes of the State, and there is now no law upon our statute books providing for the education of that people. I recommend that you pass an act setting apart all the revenue taxes which shall hereafter be collected by the State from the property of colored people, after paying expenses of collection, as a fund to be used exclusively for the education of their children; and I suggest that you provide such increase of their taxes as will be reasonable for that purpose, and enact such laws in reference to establishing and carrying on schools for their children, at their own expense, as will be just and beneficent. This beneficence and liberality upon our part toward that weaker and dependent element of our population I feel to be just, and will promote the best interests of the State.

INSURANCE BUREAU.

The Insurance Bureau, organized in June, 1870, under an act of March previous, is now in successful operation.

By the terms of the law, it is made the duty of the Insurance Commissioner to require annually, of every company doing insurance business in this State, a detailed statement of its affairs for the year ending on the 31st December. This statement is to be made by the companies to the Commissioner within sixty days after the expiration of the year. The Report of the Insurance Commissioner, giving an outline of the method of calculating the net value of life insurance policies, and an abstract of the annual statements of the companies for the year 1870, has been printed, and will be laid before you. The whole number of insurance companies now doing business in this State is 128. Of this number, 15 are organized under the laws of this State, 108 under the laws of other States of the Union, and 5 under the laws of foreign countries. Of the whole number, 41 are life and 86 are fire and inland, and 1 accident insurance. Of the 15 Kentucky companies, 13 are fire and inland, and 2 are life companies. The amount insured upon property by the Kentucky companies on 31st December, 1870, was $35,467,872, and upon lives it was $9,827,062.

The whole amount insured upon property by companies other than those of Kentucky doing business in this State was $4,158,-

720,804, and upon lives the amount was $1,816,300,146. The total amount insured upon property and lives by all the insurance companies doing business is this State on 31st December, 1870, was $6,020,315,884 The total of premiums received for insurance upon property in Kentucky by Kentucky companies, during 1870, was $474,088. Losses incurred by them during the same time amounted to $162,562. By other than Kentucky companies the premiums received during the year for insurance on property in Kentucky, so far as reported, amounted to $510,110. Losses paid, $346,083. The total premiums received for insurance upon lives in the State, by Kentucky companies, during the year, $266,406. Losses incurred during the year, $81,980. By other than Kentucky companies, the premiums received in 1870 for life insurance in Kentucky amounted to $1,184,063; and losses paid, as far as reported, $246,002.

The expenses of the Bureau, from the time of its organization in June, 1870, to the end of the fiscal year, October 10, 1871, amounted to $25,609 49. The fees and total income for the same time amounted to $23,334 35—showing a deficiency of $2,275 14, which sum must be made up either by fees received after that date or by assessment on the insurance companies; because the law provides that in no case shall any part of the expenses of the Insurance Bureau become a tax upon the people or the property of the State. I heartily concur with my predecessor in regard to the importance of the general insurance laws, and the advantage that must arise therefrom without tax to the people of the State. The insurance companies pay all the expenses; they are largely interested in having this supervision wisely administered, and have expressed entire willingness to pay for the service rendered. When the general insurance laws were passed, the designation of the salary of the Commissioner was somewhat an experiment, because very few persons in this State were at that time aware of the nature of the business it was proposed to regulate and control, or the qualifications necessary for the proper administration of the laws. I have reason to believe that those companies fully appreciate the magnitude of the duties of the office, and are willing that the Commissioner of Insurance shall be paid by the State, out of fees collected from them, a salary commensurate with the importance of the work to be done.

I respectfully call your attention to the proceedings of the Convention of Insurance Commissioners, held in the city of New York, in

May and October of this year. I feel assured that the Legislature of this State will take special notice, and accord full consideration, to the action of that Convention, in which twenty-nine States were represented. It is believed that these conventions have already produced great benefit to all interested in insurance, either as shareholders or policy-holders. The published proceedings show that Kentucky was ably represented in the convention by the distinguished gentleman, General Gustavus W. Smith, who organized the Insurance Bureau, and who now holds the position of Insurance Commissioner of this State.

The insurance law authorizes the payment of the sum required to procure "actuarial assistance necessary to the discharge of all the duties devolving by law on the Bureau or the Commissioner." I have the pleasure of congratulating the people of Kentucky upon the fact, that one of our own native-born Kentuckians, the present Commissioner, has, by his own knowledge, been able to thoroughly organize this office without having to send abroad for actuarial assistance, and that to him the community is indebted for a clear and intelligible exposition of a subject which has been hitherto regarded as a kind of cryptic science, which only the initiated professional actuary could comprehend. The present salary of the Commissioner, it is well known, would not be sufficient to command the services of a first-class actuary. I therefore recommend that the compensation of the Insurance Commissioner be increased to an amount more in accordance with the vast interests he is appointed to guard, and the high special qualifications undoubtedly required in order to properly perform the duties of such an important office.

### QUARTER-MASTER GENERAL.

The report of the Quarter-Master General will exhibit to you the condition and workings of that office for the past year. This office, in the commencement of the late war, was a mere honorary sinecure, held by persons unacquainted with the forms and returns necessary to a well-arranged, thoroughly systematized office. The war coming in all its magnitude, found it without the most ordinary appliances for a proper record of its transactions. The vast amount of labor required of it under the most urgent necessity, gave no time for inaugurating such a system as is indispensable in keeping such a record, hence many of its most important acts were committed to mere memoranda, leaving proper entries to be made at some future

day. This condition of things necessarily engenders great confusion, and involves often a laborious search and tedious delay in supplying information important to the State or to her citizens. Sometimes such information cannot be found at all; yet it ought to be, and perhaps is, in the office.

A thorough organization of the office is needed for the preservation of its records, and above all, that the transactions and business of the office be set forth in a practical, tangible manner. Besides the claim made out and presented heretofore against the Government of the United States, and which has been, and is being, pressed for payment, there is due to this State for ordnance account a sum amounting to about two hundred thousand dollars, the vouchers for which should be made out and arranged for collection, and that duty will devolve upon the Quarter-Master General. In view of that important service, and the general necessities to the State of the office, I recommend that it be continued on its present footing, and that its incumbent be directed to thoroughly organize and put the books, papers, and records appertaining thereto in good order and condition.

ADJUTANT GENERAL AND MILITIA.

I refer you to the report of the Adjutant General for full information in reference to that office, and urge you to give its suggestions and recommendations your serious consideration.

The militia law of 1865, with a very few changes and amendments, will give us a reliable and efficient militia force. Let the officers be selected with care, choosing only such persons as will bring ability and zeal to build up such organizations as the State would take pride in, and would cheerfully cherish and sustain. The members of such a force should, on the one hand, be distinguished by certain privileges and immunities that would dignify and honor the organization. On the other hand, in return for these privileges, they should be held to a rigid discharge of their duties, and the law should uphold and sustain the officers in enforcing discipline. But above all, this force should be constantly looked after and encouraged by the higher and chief officers of the State.

There is in the Treasury quite a sum of money set apart for military purposes. The fines which might be exacted as one of the means of enforcing discipline would furnish enough to defray all necessary expenses, which need not be great. We do not need the elaborate, expensive systems maintained by the Northern States, but

only a small force in the larger towns, cities, and densely populated districts—a force under such discipline as will make it a reliable and efficient aid in the enforcement of law, and at the same time serve as a valuable nucleus for the full organization of the military force of the State, when needed in case of war. I earnestly call your attention to this subject, and submit that you either blot out of existence the sickly system we now have, or put it upon such a footing as will reflect credit upon the State.

DEAF AND DUMB ASYLUM.

The reports from the Superintendents and others having charge of the charitable institutions of our State will be laid before you at an early day, and will furnish you with full information of their progress and condition.

The Deaf and Dumb Asylum, situate at Danville, dates as the fourth institution of its kind founded within the United States, and is now in the 48th year of its existence—having been established under the recommendation of Gov Desha, in 1823 It was the first educational asylum established by the State, and amply has the result of its labors repaid the public beneficence which created and has so liberally fostered it. Among all those missions of mercy by which the compassion of Christian charity has sought to relieve the unfortunate of our race, none have had a nobler aim, or been rewarded by a more complete and gratifying success, than that which has so patiently striven, in the spirit of the Divine Master, to cause, as it were, the deaf to hear and the dumb to speak.

By what money value shall we estimate the benefits which our asylum at Danville has accomplished for this unfortunate class of our fellow-citizens? Rescuing the deaf-mute from a life of blank isolation; introducing him to the conversation of his kind; fitting him for useful employment and the discharge of social duties; unsealing for him the fountain of knowledge; revealing to his mind the secrets of nature, the history of his race, the achievements of thought, and, above all, the idea and knowledge of God.

Since its foundation, this institution has educated and sent out four hundred and eighty-five deaf-mutes, male and female, prepared to be useful members of society, and has at present eighty-one pupils under its tuition. It is a gratifying fact, and speaks well both for the healthiness of its location and the sanitary regulations of the asylum, that during its existence of forty-seven years, only nine deaths have occur-

red among its pupils. That its affairs have been managed with great economy is shown in the fact that, whilst our neighboring State, Ohio, has within a few years expended six hundred and sixty thousand dollars in the purchase of lands, erecting buildings, and furnishing its asylum, our noble charity has cost us in this respect, from its foundation to the present time, only about thirty-seven thousand dollars, and that the cost of boarding and tuition for a pupil—one hundred and forty dollars in our institution—is not more than half of the average cost in the asylums of the principal States of the North. You will see from the report of the Commissioners that they solicit an increase in the annual appropriation to the asylum. I regard the request as moderate and reasonable, and heartily recommend that the increased appropriation be made.

SCHOOL FOR FEEBLE-MINDED CHILDREN AND IDIOTS.

This worthy State charity was organized in 1860. At the time of its organization there was a distrust in the public mind of its success. It was one of the results of an advanced Christian civilization, and its success has been equal to the most sanguine expectations of its warmest friends. Popular prejudice, in a great measure, has given way, and a healthy public sentiment has been created in its behalf. The report of the Superintendent presents an array of facts not to be ignored, and demands your serious consideration. Much has been done for this unfortunate class of our population, and with the continued fostering care of the State, may we not confidently hope for still greater results? The Superintendent desires that you shall each, by personal examination, satisfy yourselves of the improvement of a large majority, if not all, of the children in the school. The suggestions made by him in reference to improvements, &c., I trust will receive your attention as their importance may demand. The fidelity and zeal with which he has discharged the important trust committed to him, are fully attested by the Board of Commissioners.

Let us not forget the injunction, "Comfort the feeble-minded," for we know not how soon our own loved ones may need the fostering care of this institution.

INSTITUTION FOR THE EDUCATION OF THE BLIND.

I have not yet received the report of the Trustees of this Institution, but have no doubt that, when laid before you, it will show that usual steady growth in interest and success which has so encour-

agingly marked its history heretofore, and so deservedly distinguished it as one of the chief wards of the State.

LUNATIC ASYLUMS.

The State of Kentucky, actuated by a spirit of Christian philanthropy which has always characterized her people, has already erected, and is now maintaining, two Lunatic Asylums. These institutions have been, and are still, accomplishing great results, but are now full beyond their capacity, and patients cannot be received by them, except as vacancies in their wards occur by the removal of those now there. Yet there is a large and constantly increasing number of insane persons, who are still unprovided for, and who must remain so under existing circumstances. My information is that there are, at this time, from one hundred and seventy-five to two hundred and twenty-five of these unfortunate sufferers in the State, besides those in the Asylums, and many of them, from the necessity of the case, are confined in the common jails—the associates of felons—others are at large, in a condition rendering them dangerous to person and property, and a source of constant terror to the community and to their friends. It has, therefore, become to be a pressing necessity that further provision for the insane should be made; and, in view of this necessity, some action is demanded upon your part to prevent damage to the public and suffering to the afflicted. There are duties that sometimes devolve upon a Legislature which cannot be ignored without resulting in harm to the public, as well as to individuals. In all Christian communities the "insane poor are the wards of the State," and as such, demand earnest efforts in their behalf. From the quiet discharge of their obligations to the community, the asylums of the State, perhaps, do not occupy that prominent place in the public estimation that their usefulness demands. No good reason can be given why our own State should not stand among the foremost in the march of political and Christian civilization, and I feel it incumbent on me to urge upon you to do all that seems necessary to ameliorate the pitiable condition of the insane, and especially everything that can minister to their recovery. It is well understood by all who have given attention to the subject, that insanity is much more successfully treated in asylums than elsewhere, by reason of the advantages that cannot be commanded in any establishment which is not especially designed for the insane.

The financial interests of the State are protected by affording speedy facilities for the treatment of all. The outlay for this purpose at first may be considerable; yet no investment that can be made of the public money can yield so large a return. As evidence of this fact, I quote substantially from a report of one of our own asylums: "The importance of early hospital treatment has been frequently urged in the reports from this institution. In an economical point of view, the results of the past year are very impressive. Of the seventeen recoveries, fifteen were recent cases, and the average time spent was about four months. Of the whole number of deaths, one only was a recent case, leaving sixteen who had been insane more than one year prior to admission. The average time spent in the asylum by those who died was rather more than six years; the fifteen recent cases cost the State in the aggregate $750. On the other hand, the chronic cases cost, at the same rate of support, $900 each, or $14,400 for the whole. These statistics, I am informed, find their parallel in the history of most, if not all, the well-ordered asylums in the country." Add to this, also, the fact that the fifteen persons placed under treatment at an early period of their attack were restored to their families and to usefulness, and no one can fail to see that economy demands such provision for the insane as will insure early treatment for all who may require it.

Who can say of the great number that have been denied admission into the asylums during the past year, for want of room, how many will become permanent burdens upon the public Treasury? while, with timely care they might have been restored to reason, and have resumed useful positions in life. There are now in the Eastern Lunatic Asylum 552 patients, which is from 150 to 200 above the proper capacity of the buildings; and in the Western Lunatic Asylum 360, which is the full capacity of that institution. The experience and concurrent testimony of all the able and most successful conductors and superintendents of such institutions is, that no institution should ever have a number exceeding five hundred. The increasing ratio of our population, and consequent probable increase of this affliction among our people, coupled with the many we now have who are unprovided for, indicate to my mind that our path of duty is to make provisions, by law, at the earliest day we can, for the purchase of ground and erection of suitable buildings for a third lunatic asylum in our State, and I recommend that it be done.

An evil has, of late years, invaded these asylums, to which I call your attention. It is, that desperate criminals sometimes, upon their trials in court, succeed in evading a more severe punishment for their wrongs, and, upon the idea of "moral insanity," are sent to one of the humane institutions of the State. It is no fit place for that class of men, and provision should be made to protect them against such abuse.

GEOLOGICAL SURVEY.

A geological survey of the State was commenced in 1854, and continued until 1859, under the direction of Professor D. D. Owen. The work was diligently and skillfully prosecuted by that distinguished geologist and his able, scientific assistants, the result of whose labors are embodied in his reports, and are of great value; but in the time, and with the means at his command, little more could be accomplished for a great part of the State than a geological reconnoissance. Much, also, of this time and means was consumed in correcting the geography of the State, which at that time was very imperfectly and erroneously mapped, as a necessary preliminary to an accurate geological survey. Much more, therefore, must be done to complete our acquaintance with the physical geography of Kentucky. Accordingly my predecessors have, at different times, called the attention of the Legislature to the subject, and recommended a further prosecution of the detailed survey. I earnestly renew this recommendation. We can hardly estimate the influence which the completion of such an undertaking will exert upon the fortunes of our people.

I am satisfied that accurate and generally diffused information, such as science is able to give us, concerning the vast natural resources of our State, will form the starting point of a new era in the industrial progress and prosperity of the Commonwealth. A complete and detailed geological survey will have for its object not only to ascertain the correct geography, construct an accurate topographical map, and describe the various geological formations of the State, with their contents, but to encourage and direct enterprise and industry by supplying them with information of the highest practical value. It will be its duty, for instance, to designate the productive and non-productive coal-fields, ascertaining the dip and identity of coal measures; to distinguish the different ores of iron and other metals, with the comparative value of each; to point out in the sev-

eral localities the facilities for mining operations; to analyze the various soils, suggesting the crops for which they are best suited; to describe the varieties and quality of building stones, as also of other useful rocks, minerals, and mineral springs; to make us acquainted, to some extent, with the fauna, and more minutely with the flora, of each region, and especially with the varieties of valuable timbers contained in our forests; and to indicate the routes by which all this natural material wealth may be made most accessible, furnishing facts which may be made available in constructing railroad lines and in slack-water navigation.

With such information, enterprise will no longer be discouraged by the remembrance of disastrous failures attributable to the want of such knowledge. Capital, industry, and skill, assured of rich rewards for their efforts, will soon find the key to those treasures now locked up in our mountains and forests; legislation will be stimulated, instructed, and intelligently directed to comprehend these interests in all schemes of internal improvements, and a desirable immigration will be induced to flow into regions now almost a wilderness. Then it will be no longer matter of shame to a citizen of Kentucky that, with the two greatest coal-fields of the world traversing our State, with the richest coal measures west of the Pennsylvania anthracite; with inexhaustible beds of ore, producing the best quality of iron; with unlimited supplies of the finest building stone, and rocks useful in the arts; with salines able to furnish salt not only for home consumption, but for exportation; and with every variety of the most valuable timber, we are still dependent upon other and distant States for the supply of all these materials and the articles manufactured from them, when at half the cost, these very necessaries of life, more abundant in quantity and of superior quality, are to be found lying around our doors.

With this realization of our natural advantages, not only will agriculture be improved, the treasures of mine and forest developed, and manufactures created and sustained, but millions of acres of our mountain lands, admirably adapted for grazing purposes, now scarcely worth their taxes, will be covered with countless herds and flocks, forming one of the greatest sources of our wealth. That such anticipations are not dreams, witness the rapid growth and prosperity of much younger States around us—States which, within the memory of the living, some of them within the recollection of our children, were a pathless wilderness, inhabitated only by wild

Indian tribes; and although other causes may have discriminated in their favor, I feel assured that a principal reason for this disparity in progress is found in the fact, that, whilst attention has been earnestly invited to the resources of those States, our own superior natural advantages have been unknown in a great degree, both to our own citizens and the world. Nor should we forget how much such a survey will contribute to scientific research, and serve to extend the boundaries of knowledge—an interest to which no enlightened people can be indifferent—by furnishing new and valuable facts to the student of natural science.

REGISTRATION.

I would call your attention to the fact that there is at present no law on our statute books providing for the proper registration of births, deaths, and marriages. I recommend that an act for this purpose be passed, requiring in each case a detail of such accompanying facts as may be of statistical value. The information thus furnished will not only interest the student of general statistics, but will be of especial importance to the physician and actuary, and, through its bearing on the sciences of medicine and life insurance, of great practical value to the entire community. Claims to inheritance, also, may often depend on the evidence which such records would afford.

FISH CULTURE.

The supply of fish in our waters has been for many years notably and constantly diminishing. There has been not only a decrease in production, but entire species have nearly, or quite, disappeared from many streams. It is a matter of no small concern to our population that a wholesome article of food, once abundant and cheap, has not only become scarce, but is to be reckoned amongst the costly luxuries of the table, its supply for a considerable portion of the State coming from the distant lakes bordering on Canada.

The acts which have, from time to time, been passed for the protection of fish in certain streams, or parts of streams, have, perhaps, more frequently been designed to secure sport for the angler than to increase the supply of food. And if, indeed, it be true, as asserted, that the principal breeding places of fish are to be found near the sources of rivers, and that most species of fish are migratory, with no fixed locality, ascending and descending the water-courses at certain seasons, then to protect merely one or more sections of a stream

will accomplish but little for the preservation of its fish. A general law for this purpose might be advisable, extending its provisions to all the rivers of our State and their tributaries. But shall we stop here? It is a question worthy of your serious consideration whether, in addition to prohibitory laws, measures should not be adopted to secure both the increase of production and the introduction of new species of fish in our streams. The art of promoting the propagation and nurture of fish has recently attracted great attention in England and in this country. The Federal Government, and many of the States, have legislated upon the subject, and appointed commissioners intrusted with its interests; and some successful experiments have been made by private enterprise in our own State. The uniform success in all these experiments has been such as to encourage further efforts. Should you deem it inexpedient to legislate on this subject at present, still a thorough investigation of it, and a careful report by a committee, would, I am convinced, furnish facts interesting and valuable to the public.

IMMIGRATION.

The greatest and most important wealth of a community is its citizens. If, from any cause, its numerical standard is reduced, not only its physical power is curtailed, but its prosperity begins to droop. In view, therefore, of its special prominence, this question should receive the most careful investigation and the most liberal treatment. Hand in hand with the development of our internal resources a wise system of encouragement to immigration within our borders is the most essential feature of true progress. There can be no thorough enlargement of our wealth or influence without the necessary accompaniment of intelligent and skilled labor. Under the old system we have been content to deal with those elements in our midst, left to us by our fathers as their legacy. The changed order of circumstances imposes new obligations upon us, and relieves us, perhaps, from embarrassments which we might have found eventually to be a heavy burden.

One principal element of our laboring population in the past decade was a mere machine performing stipulated tasks, but divested of that higher order of cultivation which enables its possessor to continue operations, even when the directing mind is withdrawn from active supervision; and, as we are suffering from the temporarily damaging effects of the destruction of our labor

system, it is the part of wisdom to look back carefully at its defects, and, whilst filling the vacuum, to improve all those elements of power, of wealth, of Christianity and morality, summed up in that State action which advances the social and intellectual condition of the laboring classes.

These truths will be so readily acknowledged that their discussion is unnecessary. Therefore, whilst encouraging all those citizens, who prove themselves, by their industry, their integrity, and their morality, entitled to confidence and to employment, we should at the same time look elsewhere for a steady influx of population, which will eventually give to Kentucky her proper influence and deserved high position among her sisterhood of States.

Our State is rich—its debt extinguished, in fact, by the assets in hand—and its credit high. We should not hesitate so much at the cost of a well-tried successful experiment, or dole out with parsimonious hand insufficient supplies to accomplish an object so greatly to be desired. The dissemination abroad of information as to the resources, climate, and capability of Kentucky, is one of the essential characteristics of such legislation.

The appointment of eminent, distinguished citizens as agents, is another—such men as would be received everywhere cordially because of their social position and known integrity, and whose influence in the official circles of any country would be marked and decided; and the system can neither be complete nor humane without embracing in its details provisions for ascertaining the labor wants of each district in the State, and pointing to homes and employment beforehand for the stranger who may be induced to settle among us.

In new countries the grand feature is their ability to endow the immigrant with a free homestead, which overcomes the reluctance to encounter hardship and to give up the comforts and protection afforded by more civilized settlements. To meet this difficulty Kentucky, having no lands to give, might substitute some other inducement.

In England, Belgium, Germany, and France, there are tens of thousands of the best mechanics, farm laborers, miners, and others, who would gladly come to our State, if facilities could be offered for them to do so. The increase of wealth resulting from this accession to our population would be almost incalculable.

These people are honest laborers—moral and religious. They are not paupers; but the avenues of labor are so crowded as to reduce prices to the limit of bare sustenance, and families which support themselves during good health, have no savings at the year's end to enable them to look forward to the means of escape to our hospitable shores. This is a peculiarly appropriate time for action. All Europe is armed to the teeth in anticipation of impending war. The air is filled with the odor of revolution—even in England; and hundreds of thousands see and hear the threatening storm. These thousands of people, who have no means of escape from enrollment into armies, at the first signal of warfare would eagerly grasp any offer to relieve themselves and their families, by immigration, from such impending calamity.

FIRE-PROOF OFFICES.

By an act of the last Legislature fifty-five thousand dollars were appropriated for the completion of fire-proof public offices, for the use of the State officers at Frankfort. The provisions of that act required the Governor and two Commissioners, recommended by him and confirmed by the Senate, to use that money, first, in payment of such debts and liabilities against the State created by the former Board of Commissioners, as should, within thirty days after the passage of said act, be certified by the old Board of Commissioners to them as just and correct; and the balance to be expended in finishing the fire-proof offices. The old Board of Commissioners reported and certified debts as just and unpaid amounting to thirteen thousand two hundred and eighty-six dollars and thirteen cents, leaving for our use toward completion of the offices $41,713 87; and this sum, or within a fraction of the whole, has been, as I feel certain, judiciously and advantageously applied to that purpose. There will be at an early day a detailed report laid before you, showing a full account of the labor and expenditures of that Board of Commissioners, which I am satisfied will bear the test of the strictest scrutiny. I respectfully invite you to make, each, personal examination of the building and all its parts. Your own good judgment will suggest that provision should promptly be made for finishing the rooms on the second and third floors, with a view to their occupation by the public officers, and thereby saving to the State the heavy rents now paid. All the rooms on the first floor will be ready for occupation within a few days, needing only some furniture.

INTERNAL IMPROVEMENT.

It is gratifying to observe the spirit in favor of internal improvement which is developing in every portion of the State. Turnpike roads are rapidly multiplying; rivers are being improved and rendered navigable, which have not been so heretofore; and a number of important railroads are in course of rapid construction in various parts of the State; whilst still a larger number are projected, and with prospects rendering their completion only a question of time. Within the next ten years we may safely predict that vast advances will be made in the development of the resources and substantial wealth of the State through these means. As the benefits arising from the means of intercommunication and facilities of commerce, afforded by the building of railroads, are demonstrated, the determination to enjoy them is formed by the people, and they spring up as if by magic. It will afford me great satisfaction to approve any properly guarded legislation looking to the increase of railroad facilities in all portions of the Commonwealth; and it is the duty as I doubt not it will be the pleasure, of the Legislature, to foster and encourage this by the passage of laws granting franchises as liberal as is consistent with the safety of the citizens, and their protection against imposition.

Great enterprises, like the construction of railroads, can only be accomplished by an association of capital through the medium of incorporated companies; and in granting charters to these companies, whilst exercising liberality in the grant of powers, due care should be observed to throw around them the proper safeguards, protecting the public and affording ample and adequate remedies to individuals.

The individual citizen is placed at great disadvantage in a controversy with a powerful corporation, which, it must be borne in mind, is fettered not by the restraints of sympathy and moral obligation, but insists upon the bald, bare letter of the law. There are many charters now in existence in Kentucky which confer upon companies powers which should not have been granted; and it should be remembered that franchises thus granted are in the nature of a contract between the State and the company, and when accepted, and money invested under them, they become vested rights, and cannot be abrogated by the Legislature. Good faith requires, and the courts will see, that the company which invests money under a charter passed by the Legislature is protected in the full enjoyment

of the franchises granted. Hence the necessity for circumspection in this matter, and the reservation of a supervisory power in the representatives of the people, and the insertion, in each charter granted, for whatever purpose, of all needful safeguards.

PENITENTIARY.

The report of the Keeper of this Institution will show its healthy and prosperous condition. It is being managed and carried on with humanity to the convicts, and with proper discipline. There were in that prison on the first of March, 1871—

| | | |
|---|---|---|
| Convicts | | 616 |
| There have been received since that time | | 233 |
| Making | | 849 |
| Discharged by expiration of term of sentence since 1st March | 187 | |
| Number of deaths | 17 | |
| Discharged under Executive pardon | 60 | |
| Escapes | 5 | |
| | | 269 |
| Leaving now in prison | | 580 |

The visitor in passing among the convicts, cannot fail to perceive that the prisoners are well fed and clothed, and that a healthy discipline prevails. It is a sad picture to see there, in prison garb, so many young men, and mere boys; and one visiting there would naturally turn his mind to our projected State House of Reform, and wish for its completion, in the hope that this latter class of offenders may be separated from older and worse men, and placed under influences more encouraging for their reclamation.

It is the custom of the Executive to issue pardons to convicts the day before, or some days before, the expiration of their term, in every instance where they, from good conduct in prison, are entitled to it. This they all understand, and it has a good influence upon them. Whether any legislation is necessary providing additional means as encouragement to them, and further moral culture with religious instruction, is a question to which I invite your thoughtful attention. There are many good citizens in our State who feel anxious upon this subject, and believe much could be done, and that our duty as a Christian people, abhorring crime, does not stop at mere confinement in the prison, but that we should make a strenuous effort to reclaim and reform them.

WAREHOUSE FOR PENITENTIARY.

An appropriation of $28,311 was made last session of the Legislature to build a fire-proof warehouse for the Penitentiary, and the Governor, Auditor, and Treasurer were directed to contract for and secure its building. A report of their action in the premises will be presented for your inspection. I take great pleasure in saying that they have caused to be erected upon the grounds, as directed, a most excellent fire-proof building, now about complete. It is a substantial structure, admirably adapted for the purposes for which it is designed, and, perhaps, a better and more faithful job of work was never done in the State, its cost being only twenty-four thousand dollars; leaving $4,311 of the appropriation which will not be called for in aid of this item of improvement.

STATE HOUSE OF REFORM.

The "State House of Reform for Juvenile Delinquents," in the completion and successful operation of which the people all over the State feel great interest, I regret to say, is not yet completed; and, although I have no formal report from the Commissioners having it in charge, I am satisfied it will not be in readiness for use before next spring. The Commissioners will lay before you their report, and it will discover to you whatever necessary action will be required, upon your part, to finish the enterprise and open the doors for the reception of convicts. The great need and usefulness of such an institution as a means of reclaiming the wayward youths of the State, I am sure will challenge your especial attention. The State has already invested upwards of fifty thousand dollars in the purchase of grounds, preparing buildings, &c., all which has been most judiciously expended and faithfully applied by the Commissioners. Shall that investment stand there yielding no return to the State? Or will you provide the Commissioners with the additional funds necessary to complete the institution—at all events sufficient to carry it into practical operation.

KENTUCKY MILITARY INSTITUTE.

This flourishing institution is steadily increasing in interest and usefulness. The able and efficient Superintendent, Professor R. T. P. Allen, and his excellent corps of teachers, deserve the highest meed of praise for their indefatigable and successful efforts in the interests of scientific education, the benefits of which have been experienced and recognized both in Kentucky and many of her

sister States. The report of the Board of Visitors will be laid before you, showing the condition and progress of the institution in detail.

SPECIAL LEGISLATION.

ANNUAL sessions of the Legislature have been chiefly attributable to, and their time greatly consumed by, the consideration of a multitude of bills of a purely private and local character, for the benefit of individuals or companies seeking some relief or franchise, the granting of which would, in my opinion, be properly transferred, as in some cases has been done, to other and inferior tribunals.

I submit to your wisdom whether it would not be advisable to enact a general law making such transfer of jurisdiction in most, if not all, cases of this class. Such a measure would not only relieve the State of considerable expense, amounting to not less than $30,000 per annum, but would greatly lighten the burden of legislation.

Assuring you of my high respect and confidence in your wisdom, integrity, and love of country, and of my readiness to co-operate with you in all your labors of legislation, I commend you to the care and oversight of Him who is God over all, and the Supreme Lawgiver of the world.

P. H. LESLIE.

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## DOCUMENTS ACCOMPANYING GOVERNOR'S MESSAGE.

LOUISVILLE, September 12th, 1871.

*His Excellency*, PRESTON H. LESLIE, *Governor of the Commonwealth of Kentucky, Frankfort, Ky.:*

SIR: In accordance with the request contained in yours of the 8th inst., I have the honor to report—

That, in pursuance of your instructions, I proceeded to the city of New York, in the month of May, for the purpose of ascertaining, as far as possible, who were the holders of the bonds of the State of Kentucky, and the terms upon which said bonds could be redeemed; and I inclose herewith a paper marked "A," which, I believe, contains a list of all, or nearly all, of the bonds, the coupons of which are paid in New York, together with the names of the owners or their agents.

It is proper to state that I believe that if I had been authorized to purchase the bonds, I could have readily redeemed them at the current rates at which they were quoted in the New York market; but as I was instructed not to conclude any purchases at that time, and being assured that *conditional purchases* at the market rates could not be effected, I did not make any overtures to their holders, fearing

that it would have the effect to induce speculators to rush into the market and buy them up, and hold them for a higher price before I, as the agent of the State, could be fully authorized to purchase them. I was sustained in this view of the matter by the President and Cashier of the Bank of America, which bank has long been the fiscal agent of the State in New York.

Owners (resident in this State) of about two hundred of the "War Bonds" have offered to sell them to me at prices ranging from ninety-five cents on the dollar to par; but I was compelled to decline the purchase thereof for the want of the necessary authority.

Previous to my visit to New York, I purchased, in accordance with your instructions, and delivered to the Auditor for canceling, fourteen (14) bonds, a list of which is herewith inclosed, marked "B."

Although the act of the General Assembly, under which I hold my appointment, may not be perfect and complete, yet, with the cordial and hearty co-operation of the Commissioners of the Sinking Fund, I believe I should have no great difficulty in carrying out the obvious intent and meaning thereof within a reasonable length of time. It may not be improper to add, that I shall hold myself always in readiness to obey your instructions, and to co-operate with you in carrying out the provisions of said act.

Very respectfully, your obedient servant,

LYTTLETON COOKE,

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(A.)

*List of Owners of Bonds of State of Kentucky.*

Jas. F. De Peyster, Treasurer, 67 Bleeker street:

Nos. 50, 96, 1351, 743, 474, 617, 1058, 1501, 1041, 1688, 86, 713, 783, 732, 504, 531, 465, 1735, 558, 1542, 744, 1386, 840, 823, 462, 1065, 480, 1675, 1757, 1599, 509, 1770, 1505, 1592, 1495, 2145, 492, 1600, 1995, 2043, 1286, 1601, 1611, 1319, 1486, 2060, 1293, 1686, 1802, 2059, 2072, 1888, 2045, 1138, 1282, 1185.

H. Amy & Co., 21 Nassau street:

Nos. 1347, 443, 1718, 657, 600, 1687, 671, 612, 1130, 1719, 666, 665, 1230, 664, 1690.

Ward, Campbell & Co., 56 Wall street:

Nos. 975, 1239, 2107, 2074, 701, 1217, 1273, 1736, 574, 1156, 1511, 1627, 527, 1643, 433, 1083, 1510, 1072, 1352, 1538, 1103, 798, 1243, 1513, 574.

James G. King & Sons, 54 William street:

Nos. 1128, 1238, 646, 1972, 1242, 722, 1978, 1272, 1030, 464, 546, 847, 1144, 591, 1801, 1228, 1334, 917, 785, 719, 711, 1281, 2105, 1918, 1755, 1696, 1607, 1516.

P. Harmony's nephews, 63 Broadway:

Nos. 1733, 792, 70, 1559, 1575, 1477, 1451, 691, 617, 1263, 1574, 1641, 1952, 67, 27, 2117, 1966, 1277, 1068, 7, 20.

M. Garcia, 63 Broadway:

Nos. 1236, 1154, 1856, 1127, 1021, 1869, 1192, 1164, 1313, 1514, 1229, 1102, 1409, 1301, 1029, 1232.

A. J. Henriques, 76 Seventh Avenue:

Nos. 1069, 1095, 1111, 1146, 1182, 1006, 994, 1153, 997, 1178.

J. R. Gardner, 29 William street:

Nos. 1420, 1783, 1428, 565, 1165, 775, 1784, 1778, 1504, 1955, 2042, 1545, 2037, 886, 820, 551, 2142, 1985, 1779, 1299, 1729, 795, 817, 818, 819, 1782, 816.

F. W. Capen, attorney, 44 Exchange Place:

Nos. 1248, 1951, 1207, 1135, 1295, 1994, 1925, 557, 1078, 1011, 1738, 38, 33, 56, 17, 589, 602, 422, 455, 910, 539, 1200, 21, 58, 3, 45, 46, 41, 20, 37, 34, 22, 30, 31, 39.

Henry Parish, 52 Wall street:

Nos. 1732, 804, 752, 1459, 100, 89, 84, 92, 75, 1475, 1644, 791, 1569, 2002, 1566, 1342, 2069, 1560, 2035, 1353, 1405, 1033.

Howes & Macy, 30 Wall street:

Nos. 2115, 835, 793, 895, 1372, 1745, 1336, 457, 491, 797, 898, 1376, 916, 1634.

Duncan, Sherman & Co., 11 Nassau street:

Nos. 2129, 2130, 929, 2138, 2123, 2126, 2124, 652, 2127, 1339, 2132, 2128, 2125, 1948, 890, 905, 1894, 864, 2131, 1636, 1677, 1764, 1528, 2110, 1499, 1637, 1833, 2152, 1530, 1595, 1635, 1506, 1577, 1638, 1304, 1567, 1639.

Kissam & Co., 36 Wall street:

Nos. 1630, 1631, 1632, 1633, 1628, 1629, 1468.

Pullen & Borm, 52 Exchange Place:

Nos. 1624, 1276, 952, 1007, 742, 1989, 918, 1990, 495, 1614.

Bank of New York, 48 Wall street:

Nos. 921, 2049, 1452, 931, 1474, 1458, 1861, 1848, 1411, 1457, 2051, 1441, 1326, 2106, 1188, 1189, 1406, 1439, 956, 1974, 924, 2112, 923, 2057, 1324, 1387, 1088, 2055, 2056, 1349, 926, 1290.

Merchants' Exchange Bank, 257 Broadway:

Nos. 883, 949, 971, 1054, 1032, 2062, 2000, 2061, 1787, 974, 2063, 806, 2065, 2076, 644, 1195, 1788, 941, 676, 1039, 428, 1131, 1907, 155, 945.

D. H. Miller, Baltimore:

Nos. 746, 1010, 553, 922, 1314, 1253, 1256, 1393, 1759, 1315, 829, 985, 1257, 1019, 939, 1596, 858, 815, 1307, 1255, 1145, 1115, 1202, 1250.

(B.)

LOUISVILLE, KY., May 20th, 1871.

Received of Lyttleton Cooke, Esq., agent for the Commonwealth of Kentucky, the sum of fourteen thousand three hundred and eight dollars and fifty cents ($14,308 50) on account of the Virginia Home Insurance Company; said amount being proceeds of the following six per cent. Kentucky State bonds redeemed by the State on the 19th inst.:

No. 491, dated April 16th, 1841.
No. 457, dated April 16th, 1841.
No. 898, dated November 5th, 1841.
No. 797, dated August 16th, 1841.
No. 835, dated September 29th, 1841.
No. 793, dated August 13th, 1841.
No. 895, dated October 30th, 1841.
No. 916, dated November 5th, 1841.
No. 1376, dated December 4th, 1842.
No. 1336, dated October 25th, 1842.
No. 1372, dated December 14th, 1842.
No. 1745, dated October 1st, 1843.
No. 1634, dated June 1st, 1843.
No. 2115, dated October 1st, 1844.

[Signed] BARBEE & CASTLEMAN, *Agents.*

Mr. Bush offered the following resolution, viz:

*Resolved*, That the message of the Governor be printed; and that the Sergeant-at-Arms furnish each member of this House with one hundred copies thereof, enveloped and postage paid, ready to be distributed by mail.

Which was adopted.

Mr. Chrisman offered the following resolutions, viz:

1. *Resolved*, That so much of the Governor's message as relates to the State debt, and the claim upon the General Government for expenses incurred by the State in defense of the United States, and the sale of the turnpike stock, be referred to the Committee on the Sinking Fund.

2. That so much thereof as relates to law and order, the conflict of jurisdiction between Federal and State authority, and to a change in the law in regard to testimony, be referred to the Committee on the Judiciary.

3. That so much thereof as relates to the subject of Education and the Kentucky Military Institute, be referred to the Committee on Education.

4. That so much thereof as relates to the Insurance Bureau, be referred to the Committee on Insurance.

5. That so much thereof as relates to the offices of Quarter-Master General, Adjutant General, and the Militia, be referred to the Committee on Military Affairs.

6. That so much thereof as relates to the eleemosynary institutions of the State, be referred to the Committee on Charitable Institutions.

7. That so much thereof as relates to the Geological Survey, Registration, and Fish Culture, be referred to the Committee on Agriculture and Manufactures.

8. That so much thereof as relates to Immigration, be referred to the Committee on Immigration and Labor.

9. That so much thereof as relates to Fire-proof Offices, be referred to the Committee on Public Offices.

10. That so much thereof as relates to the Penitentiary and State House of Reform, be referred to the Committee on the Penitentiary.

Which were adopted.

The following petitions were presented, viz:

By Mr. Bush—

1. The petition of Richard W. Neely, praying the passage of a law to allow him to remove from his farm the remains of certain bodies deposited thereon, and to re-inter them at another point.

By same—

2. The petition of W. H. Hughlett, praying compensation for keeping a certain lunatic in the jail of Simpson county.

By Mr. Woolfolk—

3. The petition of D. F. Dempsey, praying that his son, James F. Dempsey, now under twenty-one years of age, may be permitted to obtain a license to practice law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Revised Statutes.

Mr. Bush offered the following joint resolution, which, under the rule, lies one day on the table, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the two Houses, in their respective Chambers, and in the manner and form prescribed by law, will, on Tuesday, the 19th inst., at 12 o'clock, M., proceed to elect a Senator from the State of Kentucky in the Congress of the United States, to succeed Hon. Garret Davis, whose term of office expires on the 4th day of March, 1873.

And then the House adjourned.

## THURSDAY, DECEMBER 7, 1871.

The following petitions were presented, viz:

By Mr. Garnett—

1. The petition of certain citizens of Metcalfe county, praying to be added to the county of Adair.

By Mr. Foote—

2. The petition of certain citizens of Kenton county, praying for the repeal of the act providing for the sale of the State's interest in turnpike roads, so far as the Covington and Lexington Turnpike is concerned.

By Mr. Cooper—

3. The petition of sundry citizens of Lewisburg and vicinity, praying the passage of an act prohibiting the sale of intoxicating liquors within two miles of the Baptist Church.

By Mr. Deaderick—

4. The petition of certain citizens of Demossville and vicinity, praying for the repeal of an act of the last session prohibiting malt or spirituous liquors to be sold within two miles of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts; the 2d to the Committee on Internal Improvement; and the 3d and 4th to the Committee on Religion.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act for the benefit of the city of Lexington, the county of Fayette, and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

On motion of Mr. Goodloe, the rule requiring its reference to a committee was suspended, the said bill taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Graves, from the select committee who were directed to prepare and bring in the same, reported

A bill amendatory of an act to provide funds for paying troops raised for the defense of the State, approved February 18, 1864.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had adopted a resolution, entitled

Resolution in relation to the officers of the General Assembly.

And that they had passed a bill, entitled

An act authorizing the recording of plats of Briensburg and Calvert City, in Marshall county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensod with,

*Ordered*, That said bill be referred to the Committee on County Courts.

Mr. Deaderick moved to reconsider the vote by which this House, on yesterday, ordered the petition of Mr. D. L. Price, contesting the right of Mr. Wm. Cassius Goodloe to a seat on this floor, to be referred to the Committee on Privileges and Elections.

And on taking the vote thereon, it was decided in the affirmative.

So said vote was reconsidered.

Mr. Deaderick then withdrew the motion to refer the same to the Committee on Privileges and Elections.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act repealing an act, approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies."

On motion of Mr. McAfee, the rule requiring the reference of said bill to a committee was suspended, and the said bill taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Mr. Ogilvie then moved to postpone the further consideration of said bill until Wednesday next, at half-past ten o'clock, A. M., and to make the same the special order of the day for that hour.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and Foote, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | J. L. Nall, |
| Wm. A. Allen, | R. L. Cooper, | John W. Ogilvie, |
| George W. Anderson, | J. E. Cosson, | Julian N. Phelps, |
| A. S. Arnold, | Joseph M. Davidson, | Lewis Potter, |
| G. W. Bailey, | W. H. Evans, | E. A. Robertson, |
| R. Tarv. Baker, | M. Woods Ferguson, | John Rowan, |
| W. W. Baldwin, | James B. Fitzpatrick, | John P. Rowlett, |
| W. R. Bates, | James Garnett, | J. P. Sacksteder, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Wm. Tarlton, |
| Church H. Blakey, | C. P. Gray, | Harry I. Todd, |
| Wm. F. Bond, | E. Polk Johnson, | L. W. Trafton, |
| W. B. M. Brooks, | T. J. Jones, | T. W. Varnon, |
| Thomas P. Cardwell, | J. S. Lawson, | E. F. Waide, |
| John S. Carpenter, | G. W. Little, | T. J. Walker, |
| George Carter, | W. J. McElroy, | J. L. Waring, |
| James S. Chrisman, | W. A. Morin, | J. M. White, |
| J. Guthrie Coke, | Wm. Mynhier, | J. M. Wright—52. |
| Josiah H. Combs, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | C. D. Foote, | Hiram S. Powell, |
| W. W. Ayers, | Joseph P. Foree, | W. L. Reeves, |
| Alpheus W. Bascom, | E. A. Graves, | J. R. Sanders, |
| John A. Bell, | J. P. Hampton, | Samuel W. Sanders, |
| S. C. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| J. C. S. Blackburn, | George M. Jessee, | Wm. Sellers, |
| Robert M. Carlisle, | Thos. M. Johnson, | J. S. Taylor, |
| B. E. Casselly, | J. J. McAfee, | C. W. Threlkeld, |
| C. M. Clay, jr., | J. A. McCampbell, | Joseph T. Tucker, |

| | | |
|---|---|---|
| Wm. G. Conrad, | Bryan S. McClure, | C. H. Webb, |
| W. W. Deaderick, | M. E. McKenzie, | F. A. Wilson, |
| John W. Dyer, | T. J. Megibben, | Jonas D. Wilson, |
| Walter Evans, | J. C. Moorman, | J. N. Woods, |
| T. S. Fish, | Mat. Nunan, | S. H. Woolfolk—43. |
| Manlius T. Flippin, | | |

On motion of Mr. Bush, the House took up for consideration a joint resolution offered by him on yesterday, entitled

Resolution relating to election of United States Senator.

Said resolution being again read, was unanimously adopted.

Mr. McClure moved to reconsider the vote by which this House adopted a resolution directing the Sergeant-at-Arms to furnish two newspapers to each member of this House.

And the question being taken thereon, it was decided in the negative.

And so the House refused to reconsider said resolution.

On motion, leave of absence, indefinitely, was granted to Messrs. Baker and Casselly.

Mr. Foote read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund be, and they are hereby, requested not to take any further steps towards selling the interest of the State of Kentucky in turnpike roads or turnpike companies until after the 15th day of January next; and the Clerk of this House is hereby directed to transmit to each of said commissioners a copy of this resolution.

Mr. Cooper offered the following resolution, viz:

*Resolved*, That the House do now proceed to constitute a Board for determining the contest in which Benjamin E. Woodworth contests the right of Thomas J. Walker to the office of Representative for the county of Lewis, in the manner prescribed by the 7th article of chapter 32, volume 1, of the Revised Statutes; and also in the matter of the contest of Messrs. Williams and Culbertson, from Boyd and Carter counties.

Which was adopted.

And then, in the manner and form prescribed by the resolution aforesaid, and the statute referred to therein, the House proceeded to constitute a Board for determining the contest aforesaid between Mr. Walker, the sitting member, and Mr. Woodworth, the contestant, which resulted in the constitution and selection of the following Board, viz:

Messrs. S. M. Sanders, Anderson, Varnon, Gray, Woolfolk, Scales, Chrisman, E. Polk Johnson, and Jonas D. Wilson.

*Ordered*, That the petition of contestant, and all papers on file or lodged with the Clerk of this House, be referred to said Board.

The House, in the same form and manner, proceeded to constitute a Board to determine the contest for a seat in this House between Messrs. Williams and Culbertson, as a Representative from the counties of Boyd and Carter, which resulted in the constitution and organization of the following Board, viz:

Messrs. Waring, Ayers, John A. Bell, Nall, Bascom, Mynhier, Wood, Little, and McClure.

*Ordered*, That the papers, petitions, and all other documents on the Clerk's table, or lodged with the Clerk, be referred to said Board.

Mr. Deaderick offered the following preamble and resolution, viz:

WHEREAS, D. L. Price has presented to this House his written petition and memorial, together with his notice, in writing, contesting the right of Wm. Cassius Goodloe to the office of Representative from the county of Fayette in the present General Assembly of the Commonwealth of Kentucky; therefore,

*Resolved*, That this House do proceed to constitute a Board for determining said contest in the manner prescribed by the 7th article of chapter 32 of the Revised Statutes, volume 1, pages 443, 444, and 445.

Which was adopted.

And then, in pursuance to said resolution, and in the manner and form prescribed therein, the House proceeded to constitute a Board for the determination of said contest, which resulted in the constitution and organization of the following Board, viz:

Messrs. Ferguson, Carlisle, Allen, Hoskins, Corbett, Moorman, Cosson, Lawson, and Sacksteder.

*Ordered*, That the petition and memorial of the contestant, and all papers lodged with the Clerk of this House in relation thereto, be referred to said Board.

Mr. Hoskins offered the following resolution, viz:

*Resolved*, That a committee of three be appointed to wait upon the Commissioners appointed under the act authorizing the sale of the State's interest in the turnpike roads of the State, and request them to suspend action in the premises until further action by the Legislature.

Which was adopted.

And thereupon the following committee was appointed under said resolution, viz:

Messrs. McAfee, Bush, and Hoskins.

Leave was given to bring in the following bills, viz:

On motion of Mr. Garnett—

1. A bill to change the line between Adair and Metcalfe counties.

On motion of Mr. Bates—

2. A bill for the benefit of G. R. Lewis, of Barren county.

On motion of Mr. Bascom—

3. A bill to amend the charter of the Lexington, Elizabethtown, and Big Sandy Railroad.

On motion of same—

4. A bill for the benefit of W. R. Patterson, of Bath county.

On motion of Mr. Fish—

5. A bill to incorporate the Hebern Cemetery Company, in Boone county.

On motion of Mr. Clay—

6. A bill to incorporate the Bourbon Building and Savings Association.

On motion of same—

7. A bill to amend the charter of the West Paris Bridge Company.

On motion of same—

8. A bill to charter the Bourbon Female College.

On motion of Mr. Hoskins—

9. A bill to provide for the registration of the qualified voters of the State.

On motion of Mr. Walter Evans—

10. A bill to amend the Civil Code of Practice in relation to the competency of witnesses in said cases.

On motion of same—

11. A bill to provide for taking the sense of the good people of this Commonwealth as to the necessity and expediency of calling a convention to amend the Constitution of this State.

On motion of same—

12. A bill to provide for the appointment of commissioners to divide the county of Christian into not less than fifteen magisterial districts.

On motion of Mr. Tucker—

13. A bill to change the time of holding the Montgomery circuit court.

On motion of Mr. Griffith—

14. A bill to amend the charter of the Owensboro and Russellville Railroad.

On motion of Mr. Sellers—

15. A bill for the benefit of the Dix River and Lancaster Turnpike Company.

On motion of same—

16. A bill to regulate the fees of judges of the quarterly courts in this Commonwealth.

On motion of Mr. Rowlett—

17. A bill for the benefit of school district No. 8, fractional, and No. 51, in Hart county.

On motion of Mr. Arnold—

18. A bill to re-establish the court of common pleas in the county of Hickman.

On motion of same—

19. A bill to increase the jurisdiction of quarterly courts and justices of the peace in this Commonwealth.

On motion of Mr. Woolfolk—

20. A bill for the benefit of J. T. Dempsey, of Hopkins county.

On motion of Mr. E. Polk Johnson—

21. A bill to repeal an act, entitled "An act directing the purchase of Collins' History of Kentucky."

On motion of Mr. Carlisle—

22. A bill in regard to the sale of turnpike roads and turnpike companies owned by the State.

On motion of Mr. Scales—

23. A bill for the benefit of the estate of Austin P. Cox, deceased.

On motion of Mr. Varnon—

24. A bill to require the clerk of the Lincoln circuit court to make a cross-index in all cases in said court to find judgment.

On motion of same—

25. A bill for the benefit of Daniel Miller, late sheriff of Lincoln county.

On motion of same—

26. A bill to authorize the county court of Lincoln county to sell its poor-house property, and reinvest the proceeds of said sale.

On motion of same—

27. A bill for the benefit of Lincoln county.

On motion of Mr. Blakey—

28. A bill to repeal an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky."

On motion of Mr. Ferguson—

29. A bill to incorporate the Louisville and Jeffersonville Bridge Company.

On motion of same—

30. A bill to amend the charter of the Louisville, Harrod's Creek, and Westport Railway Company.

On motion of Mr. Waide—

31. A bill to make legal the testimony of all persons, without regard to race or color, in the courts of this Commonwealth.

On motion of Mr. Graves—

32. A bill to let out the public printing and binding to the lowest bidder.

On motion of same—

33. A bill to increase the jurisdiction of justices of the peace.

On motion of Mr. McAfee—

34. A bill to pro rata the per diem of members upon this floor equally.

On motion of same—

35. A bill to prohibit the destruction of fish in Salt river.

On motion of Mr. Flippin—

36. A bill to amend the homestead law of this Commonwealth.

On motion of Mr. Foree—

37. A bill to establish an additional voting precinct in Shelby county.

On motion of Mr. Bush—

38. A bill to protect fish and prohibit seining in Drake's creek, in Simpson county.

On motion of Mr. Potter—

39. A bill to authorize the county court of Warren county to levy a tax and issue bonds for rebuilding the bridge across Barren river, near Bowling Green.

On motion of Mr. Little—

40. A bill to change the time of holding the April term of the Whitley quarterly court.

On motion of Mr. Gray—

41. A bill to give to the colored people of Kentucky all revenue poll-tax collected from them for the purpose of education.

*Ordered*, That the Committee on County Courts prepare and bring in the 1st, 15th, 19th, 26th, 27th, and 40th; the Committee on Rail-

roads the 3d, 14th, and 30th; the Committee on Religion the 5th and 34th; the Committee on Internal Improvement the 6th, 7th, 22d, 29th, and 35th; the Committee on Education the 8th, 17th, 21st, and 41st; the Committee on Codes of Practice the 10th; the Committee on the Judiciary the 11th, 28th, and 39th; the Committee on Circuit Courts the 13th and 24th; the Committee on Revised Statutes the 16th, 31st; 36th, and 38th; the Committee on Claims the 23d; the Committee on Ways and Means the 25th; the Committee on Printing the 32d; a select committee, consisting of Messrs. Bush, Garnett, Bates, and Morin, the 2d; a select committee, consisting of Messrs. Bush, Griffith, and Bascom, the 4th; a select committee, consisting of Messrs. Deaderick, Clay, Cook, Little, and Hoskins, the 9th; a select committee, consisting of Messrs. Goodloe, J. D. Wilson, and Bates, the 12th; a select committee, consisting of Messrs. Arnold, T. M. Johnson, and Corbett, the 18th; a select committee, consisting of Messrs. Griffith, Beckham, and Dyer, the 20th; a select committee, consisting of Messrs. Graves, Ayers, and Flippin, the 33d; and a select committee, consisting of Messrs. Foree, Blackburn, and E. Polk Johnson, the 37th.

And then the House adjourned.

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## FRIDAY, DECEMBER 8, 1871.

The Speaker, under the rule, appointed the following as the Standing Committees of this House, viz:

*On Propositions and Grievances*—Messrs. Joseph M. Davidson, S. H. Woolfolk, M. E. McKenzie, James B. Fitzpatrick, W. J. McElroy, J. L. Nall, and Mat. Nunan.

*On Privileges and Elections*—Messrs. J. L. Waring, G. W. Bailey, W. W. Deaderick, J. A. McCampbell, W. A. Moran, J. N. Phelps, and J. R. Sanders.

*On Claims*—Messrs. Clinton Griffith, Joseph M. Davidson, William Tarlton, J. P. Rowlett, B. E. Casselly, J. P. Hampton, and T. J. Megibben.

*On the Judiciary*—Messrs. W. W. Bush, James Garnett, W. L. Reeves, J. P. Sacksteder, R. Tarv. Baker, J. Guthrie Coke, and Walter Evans.

*On Religion*—Messrs. W. W. Ayers, J. S. Taylor, C. W. Threlkeld, E. A. Robertson, J. N. Phelps, J. S. Lawson, and Hiram S. Powell.

*On Education*—Messrs. A. C. Armstrong, W. A. Moran, R. L. Cooper, L. W. Trafton, C. P. Gray, J. E. Cosson, and James Garnett.

*On Military Affairs*—Messrs. J. J. McAfee, Wm. Hoskins, J. M. Wright, John W. Dyer, William Mynhier, George M. Jessee, and T. M. Johnson.

*On Expenditures of the Board of Internal Improvement*—Messrs. C. H. Webb, Jonas D. Wilson, S. M. Sanders, James W. Snyder, J. M. White, Wm. J. Conrad, and W. W. Baldwin.

*On the Penitentiary*—Messrs. Thomas H. Corbett, Joseph P. Foree, A. W. Bascom, M. Woods Ferguson, W. A. Hoskins, A. C. Armstrong, and Hiram S. Powell.

*On Agriculture and Manufactures*—Messrs. C. M. Clay, jr., Lewis Potter, J. C. Moorman, George Carter, T. J. Jones, John Rowan, and R. D. Cook.

*On Ways and Means*—Messrs. E. A. Graves, T. J. Megibben, W. W. Baldwin, T. S. Fish, M. E. McKenzie, Wm. F. Bond, and Thomas P. Cardwell.

*On Corporate Institutions*—Messrs. George W. Anderson, John A. Bell, Wm. Mynhier, S. H. Woolfolk, G. W. Bailey, Church H. Blakey, and C. C. Scales.

*On Internal Improvement*—Messrs. John W. Ogilvie, M. Woods Ferguson, J. W. Dyer, Robert M. Carlisle, A. S. Arnold, B. E. Casselly, and Jonas D. Wilson.

*On the Sinking Fund*—Messrs. James S. Chrisman, William A. Hoskins, C. H. Blakey, James W. Snyder, William Sellers, John Rowan, and Bryan S. McClure.

*On Banks*—Messrs. Alpheus W. Bascom, J. P. Rowlett, E. F. Waide, M. Woods Ferguson, C. H. Webb, and Harry I. Todd.

*On the Library*—Messrs. W. C. Goodloe, W. F. Bond, Josiah H. Combs, Wm. G. Conrad, and J. M. White.

*On Printing*—Messrs. John A. Bell, John W. Dyer, Joseph P. Foree, T. J. Walker, and C. W. Threlkeld.

*On Public Offices*—Messrs. Harry I. Todd, Wm. Allen, S. C. Bell, J. M. White, and George Carter.

*On Federal Relations*—Messrs. E. T. Waide, James S. Chrisman, Thomas H. Corbett, E. Polk Johnson, C. D. Foote, J. M. Wright, Wm. Cassius Goodloe, W. N. Beckham, and W. W. Bush.

*On Court of Appeals*—Messrs. W. N. Beckham, James Garnett, E. A. Graves, S. H. Woolfolk, and T. W. Varnon.

*On Circuit Courts*—Messrs. R. Tarv. Baker, W. R. Bates, Joseph T. Tucker, Walter Evans, and E. P. Johnson.

*On County Courts*—Messrs. L. W. Trafton, C. D. Foote, F. A. Wilson, W. W. Bush, and Wm. Mynhier.

*On Revised Statutes*—Messrs. Joseph T. Tucker, W. R. Bates, James Garnett, J. M. Wright, and James B. Fitzpatrick.

*On Codes of Practice*—Messrs. Thos. W. Varnon, E. P. Johnson, G. W. Little, M. T. Flippin, and J. P. Sacksteder.

*On Enrollments*—Messrs. W. W. Deaderick, W. L. Reeves, Wm. J. McElroy, J. P. Rowlett, and J. N. Wood.

*On Immigration and Labor*—Messrs. R. L. Cooper, J. W. Snyder, John S. Carpenter, W. B. M. Brooks, John W. Dyer, W. H. Evans, and T. S. Fish.

*On Railroads*—Messrs. J. C. S. Blackburn, J. Guthrie Coke, W. A. Hoskins, Cassius M. Clay, jr., C. C. Scales, A. S. Arnold, J. L. Waring, and W. B. M. Brooks.

*On Charitable Institutions*—Messrs. George M. Jessee, E. F. Waide, S. M. Sanders, T. N. Johnson, George W. Anderson, Walter Evans, and E. A. Robertson.

*On Insurance*—Messrs. John S. Carpenter, J. L. Waring, Clinton Griffith, A. W. Bascom, R. L. Cooper, J. C. S. Blackburn, and G. W. Little.

*Ordered*, That the Public Printer forthwith print the usual number of copies thereof for the use of this House.

The following petitions were presented, viz:

By Mr. Blackburn—

1. The petition of the trustees of Cleaveland Orphan Institute, praying the passage of a law to enable them to sell certain real estate belonging thereto.

By Mr. Blakey—

2. The petition of O. R. Mallory, of Logan county, praying for the passage of a law to permit him to peddle without obtaining license so to do.

By Mr. Scales—

3. The petition of citizens of Kenton county, praying the repeal of an act directing the sale of the State's interest in turnpike roads and turnpike companies.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Charitable Institutions; the 2d to the Committee on Propositions and Grievances; and the 3d to the Committee on Internal Improvement.

A message was received from the Senate, announcing that they had adopted a resolution, entitled

Resolution in relation to the sale of the stock in turnpike roads.

And that they had passed a bill, entitled

An act to authorize the county court of Meade county to raise money for the erection of public buildings in Meade county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That the same be referred to the Committee on Propositions and Grievances.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Garnett, from a select committee—

A bill for the benefit of Geo. R. Lewis.

By Mr. Bascom, from a select committee—

A bill for the benefit of Wm. R. Patterson, of Bath county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McElroy offered the following resolution, viz:

*Resolved*, That the pay of the Sergeant-at-Arms and Door-keeper of the House of Representatives be each five dollars per day during the present session of the Legislature.

Which was taken up.

Mr. Corbett moved to postpone the further consideration of said resolution until the 15th day of January next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | J. L. Nall, |
| Wm. A. Allen, | R. L. Cooper, | John W. Ogilvie, |
| A. C. Armstrong, | J. E. Cosson, | Julian N. Phelps, |
| W. W. Ayers, | Joseph M. Davidson, | Lewis Potter, |
| G. W. Bailey, | W. W. Deaderick, | Hiram S. Powell, |
| W. W. Baldwin, | John W. Dyer, | W. L. Reeves, |
| Alpheus W. Bascom, | W. H. Evans, | E. A. Robertson, |
| W. R. Bates, | M. Woods Ferguson, | John Rowan, |
| John A. Bell, | T. S. Fish, | John P. Rowlett, |
| S. C. Bell, | James B. Fitzpatrick, | C. C. Scales, |
| J. C. S. Blackburn, | C. D. Foote, | J. S. Taylor, |
| Church H. Blakey, | Wm. A Hoskins, | C. W. Threlkeld, |
| Wm. F. Bond, | E. Polk Johnson, | Harry I. Todd, |
| W. B. M. Brooks, | T. J. Jones, | L. W. Trafton, |
| W. W. Bush, | J. S. Lawson, | Joseph T. Tucker, |
| Robert M. Carlisle, | G. W. Little, | T. W. Varnon, |
| John S. Carpenter, | Bryan S. McClure, | E. F. Waide, |
| George Carter, | M. E. McKenzie, | T. J. Walker, |
| C. M. Clay, jr., | T. J. Megibben, | J. M. White, |
| J. Guthrie Coke, | J. C. Moorman, | F. A. Wilson, |
| Wm. G. Conrad, | W. A. Morin, | S. H. Woolfolk, |
| Thomas H. Corbett, | Wm. Mynhier, | J. M. Wright—66. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. S. Arnold, | E. A. Graves, | Mat. Nunan, |
| Thomas P. Cardwell, | C. P. Gray, | Samuel M. Sanders, |
| James S. Chrisman, | Clinton Griffith, | Wm. Sellers, |
| Josiah H. Combs, | J. P. Hampton, | J. L. Waring, |
| Walter Evans, | George M. Jessee, | C. H. Webb, |
| Manlius T. Flippin, | Thos. M. Johnson, | Jonas D. Wilson, |
| Joseph P. Foree, | Wm. J. McElroy, | J. N. Woods—21. |
| James Garnett, | | |

The Speaker laid before the House the notice of S. Hodge to John N. Woods, the sitting member, that he, Hodge, would, and did, contest the right of said Woods to a seat on this floor as a Representative from the county of Crittenden; and also a list of the voters whose votes he challenged, and of the witnesses by whom he proposed to sustain said challenges.

On motion of Mr. Chrisman, the House then, in the mode and manner prescribed by law, proceeded to constitute a Board to determine

the matter of said contest; and thereupon the following Board was constituted and selected, viz:

Messrs. J. R. Sanders, Tarlton, McCampbell, Reeves, Dyer, Foote, Flippin, Little, and Taylor.

On motion, leave of absence, indefinitely, was granted to Messrs. Scales and Cook.

Mr. Varnon read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of three from the House and two from the Senate be appointed to visit Louisville and examine the books and papers of the Bank of Kentucky and the Bank of Louisville; ascertain the amount of assets belonging to said banks; of what the assets consist; the value of the stock; the amount of the reserved fund; why the same has not been distributed among the stockholders; and, in making their report, said committee shall give their opinion as to whether or not it is advisable to sell the stock which the State owns in said banks.

On motion of Mr. Bush, the rule requiring the same to lie one day on the table was suspended, the said resolution taken up, twice read, and adopted.

Mr. Blakey offered the following resolution, viz:

*Resolved*, That a select committee of five be appointed to inquire into and report to this House the progress made in the building of the fire-proof buildings for public offices.

Which was adopted.

And thereupon the Speaker appointed the following committee under said resolution, viz:

Messrs. Blakey, Megibben, Foote, Jessee, and Griffith.

Mr. Flippin offered the following resolution, viz:

*Resolved*, That hereafter the call of the counties for motions, &c., shall be on Tuesdays and Fridays only; and during said call of counties on Tuesdays, the motions shall be limited to the introduction of leaves and resolutions.

On motion of Mr. Rowlett, said resolution was referred to the select committee heretofore raised on the subject of a revision of the rules of this House.

Mr. Chrisman offered the following resolution, viz:

*Resolved*, That those gentlemen contesting the right to a seat on this floor have the privilege of the same during the contest.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ogilvie—

1. A bill to create an additional voting place in district No. 5, in McCracken county.

On motion of Mr. Bates—

2. A bill to regulate the sales made under decrees of the Barren circuit court.

On motion of Mr. Carpenter—

3. A bill to establish an additional Lunatic Asylum in this Commonwealth.

On motion of Mr. Garnett—

4. A bill to amend and reduce into one all the acts in regard to the town of Columbia, in Adair county.

On motion of Mr. Corbett—

5. A bill for the benefit of L. S. Lee, late sheriff of Ballard county.

On motion of Mr. Bates—

6. A bill to repeal an act, entitled "An act to regulate the salaries of the judges of the circuit courts, courts of common pleas, and the chancellor of the Louisville chancery court, and to provide for the payment of *pro tem.* judges and chancellors of said county," approved February 11th, 1871.

On motion of Mr. Armstrong—

7. A bill to amend the charter of the Brooksville and Rock Spring Turnpike Road Company.

On motion of Mr. Goodloe—

8. A bill providing for the education of all the children of this Commonwealth.

On motion of same—

9. A bill for the appointment of commissioners to divide the county of Fayette into not less than twenty magisterial districts.

On motion of Mr. Davidson—

10. A bill to amend an act, entitled "An act to establish the county of Martin."

On motion of Mr. Sellers—

11. A bill in relation to the town of Lancaster.

On motion of Mr. Jones—

12. A bill to abolish juries in magistrates' courts.

On motion of Mr. T. M. Johnson—

13. A bill in relation to the town of Campbellsville.

On motion of same—

14. A bill in relation to changing the charter of the town of Campbellsville.

On motion of Mr. Megibben—

15. A bill to amend the charter of the Harrison County Agricultural and Mechanical Association.

On motion of Mr. Rowlett—

16. A bill to repeal an act, entitled "An act to amend the charter of the Louisville and Nashville Railroad."

On motion of Mr. Woolfolk—

17. A bill to legalize the action of the court of claims for Hopkins county at its November term, 1871.

On motion of Mr. Foote—

18. A bill to revise and codify the charter of the city of Covington.

On motion of Mr. Scales—

19. A bill to let out to the lowest bidder a contract to furnish paper and general stationery used by the State.

On motion of Mr. Cook—

20. A bill for the benefit of B. K. Bethurum, of Rockcastle county, and his sureties.

On motion of Mr. Webb—

21. A bill for the benefit of Shelton Female High School, at Smithland.

On motion of Mr. Blakey—

22. A bill to incorporate the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

On motion of same—

23. A bill to change the time of electing justices of the peace and constables in this Commonwealth.

On motion of Mr. Graves—

24. A bill to repeal the sale of lottery tickets in Kentucky.

On motion of Mr. Ogilvie—

25. A bill to incorporate Massack Lodge, No. 137, I. O. O. F., in McCracken county.

On motion of Mr. Allen—

26. A bill in relation to removing the county seat of Meade county.

On motion of Mr. Flippin—

27. A bill to equalize the pay of grand and petit jurors of this Commonwealth.

On motion of same—

28. A bill to regulate witness fees.

On motion of Mr. Bush—

29. A bill for the benefit of Richard W. Neeley, of Simpson county.

On motion of same—

30. A bill to provide for recording deeds to burial lots in Green Lawn Cemetery, in the town of Franklin.

On motion of same—

31. A bill for the benefit of Michael Ryan, of Simpson county.

On motion of same—

32. A bill for the benefit of W. H. Hughlett, of Simpson county.

On motion of Mr. Dyer—

33. A bill in relation to the town of Caseyville.

On motion of Mr. Little—

34. A bill for the benefit of the sureties of Wm. Cummins, late sheriff of Whitley county.

On motion of Mr. Blackburn—

35. A bill for the benefit of the Cleveland Orphan Asylum.

*Ordered*, That the Committee on County Courts prepare and bring in the 1st, 11th, and 17th; the Committee on Corporate Institutions the 3d, 4th, and 14th; the Committee on Ways and Means the 5th, 19th, 24th, and 32d; the Committee on the Judiciary the 6th, 23d, 25th, 28th, 30th, and 31st; the Committee on Education the 8th and 21st; the Committee on Propositions and Grievances the 10th, 20th, 26th, and 34th; the Committee on Revised Statutes the 12th and 27th; the Committee on Religion the 13th, 22d, 29th, and 33d; the Committee on Agriculture and Manufactures the 15th; the Committee on Railroads the 16th; the Committee on Charitable Institutions the 35th; a select committee, consisting of Messrs. W. Evans, Flippin, and Bates, the 2d; a select committee, consisting of Messrs. Armstrong, Scales, and Rowan, the 7th; a select committee, consisting of Messrs. Goodloe, Griffith, and Nunan, the 9th; and a select committee, consisting of Messrs. Foote, Scales, and Carlisle, the 18th.

And then the House adjourned.

## SATURDAY, DECEMBER 9, 1871.

The following petitions were presented, viz:

By Mr. Nunan—

1. The petition of certain citizens of Washington county, praying the repeal of an act to prohibit the sale of intoxicating drinks along the line of certain roads in said county, so far as the same applies to the Mackville and Perryville Turnpike, from the Boyle county line to Mackville.

By Mr. Carlisle—

2. The petition of citizens of Kenton county, praying for the repeal of the act of the last session directing the sale of the State's stock in turnpike roads and turnpike companies.

By Mr. Fish—

3. The petition of citizens of Boone county, praying the repeal of the same law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d and 3d to the Committee on Internal Improvement.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, entitled

Resolution relating to election of United States Senator.

That they had adopted a resolution, entitled

Resolution in regard to tax on cotton levied by the General Government.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Bank of Commerce, of Louisville.

2. An act to change the times of holding the Mercer county quarterly court.

3. An act to regulate the times of holding the Caldwell quarterly court.

4. An act for the benefit of James Rhey Boyd, empowering him to obtain license to practice law as if of full age.

5. An act to amend an act, entitled "An act to organize the South Kentucky Railroad," approved March 15, 1871.

6. An act discontinuing so much of the public road leading from Bardstown to Elizabethtown as lies within one mile of Bardstown.

7. An act to incorporate the Western Tobacco Bank and Warehouse Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 7th to the Committee on Banks; the 2d, 3d, and 6th to the Committee on County Courts; the 4th to the Committee on the Judiciary; and the 5th to the Committee on Railroads.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act for the benefit of the city of Lexington, the county of Fayette, and the Elizabethtown, Lexington, and Big Sandy Railroad Company,

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to regulate the time of holding the circuit courts in Allen county.

On motion of Mr. Bush, the rule requiring its reference to a committee was suspended, the said bill taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Corbett offered the following resolution, viz:

*Resolved*, That the Commissioners of the Sinking Fund are hereby requested to report to this House, at their earliest convenience, all that they have done under the act authorizing and directing the sale of the interest and stock owned by the State in turnpike roads or turnpike road companies, approved March 7th, 1871; also report what

they have done under the act to provide for the payment of the State debt, approved March 23d, 1871, and what amendment is necessary, if any, to either one of said acts to protect the interests of the State, and to carry out the original intention of said acts.

Which being twice read, was unanimously adopted.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to regulate the time of holding the circuit courts in Allen county,

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

On motion of Mr. W. Evans, the leave heretofore granted to bring in a bill in regard to the competence of certain testimony in the courts is referred to the Committee on Revised Statutes, instead of Codes of Practice.

Mr. W. Evans moved to reconsider the action of this House on yesterday, by which the matter of the contest between Messrs. Hodge and Woods for a seat in this House from the county of Crittenden was referred to a Board for investigation.

And the question being taken thereon, it was decided in the negative.

So the House refused to reconsider the same.

Mr. Todd offered the following preamble and resolution, viz:

Whereas, The following act of the General Assembly of Kentucky, approved February 25, 1860, directed certain improvements to be made in the Penitentiary:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of forty-nine thousand five hundred and ninety dollars and twenty-five cents be, and the same is hereby, appropriated for the benefit of the Penitentiary, to be expended for the following purposes:

| | | |
|---|---|---|
| 1. | For the erection of a new hemp-house and work-shops, for the manufacture of the same, and heating apparatus for same, - - - - - - - - - | $25,000 00 |
| 2. | For repairing and re-roofing the west work-shop, - | 2,306 30 |
| 3. | For enlarging dining-room, and building new kitchen, | 680 00 |
| 4. | For raising walls and re-roofing cell-house, and constructing eighty-four additional cells, - - - | 15,637 00 |
| 5. | For the purchase of grounds for a grave-yard, and inclosing same, - - - - - - - - - | 800 00 |
| 6. | To supply deficiency in appropriations for work now under contract, - - - - - - - - - | 1,137 31 |

7. For building privy now under suspended contract, - 650 00
8. For rebuilding city cistern destroyed in constructing sewer, - - - - - - - - - - 125 00
9. For grading and paving yard, and constructing water-tables leading to sewer, - - - - - - 3,254 64

§2. The Commissioners of the Penitentiary are hereby empowered to let out the work for which the appropriations in the above sections are made, to the lowest and best bidder, according to plans submitted to them, and which they are to decide upon and adopt, having due regard to economy and durability of the work, as well as the adaptation of the work to the buildings and improvements ordered hereby to be constructed and made; and said Commissioners shall, in no event, exceed the amounts above appropriated in letting out said contracts.

§3. That said Commissioners are hereby authorized to issue certificates to the Auditor, in favor of the contractors, for such sums as will pay for work done as it progresses, at such times, and for such sums as they may deem proper and expedient; but at no time shall they issue any such certificate for work which has not been done. Upon the receipt of which certificates, the Auditor shall draw his warrants upon the Treasury for sums corresponding therewith, to be paid out of any money to the credit of the Treasury not otherwise appropriated.

And whereas, certain improvements directed to be made in said act were *not* made; therefore,

*Resolved*, That the Auditor be, and is hereby, directed to report to this House, at as early a day as practicable, upon whose order, to whom, for what purpose, and for what amount, he issued his warrants on the Treasurer under the act quoted in the foregoing preamble.

Which being twice read, was adopted.

Mr. Bush, on request, was discharged from service on the Committee on Federal Relations.

And thereupon the Speaker appointed Mr. Bates to serve thereon in his stead.

On motion of Mr. Blackburn, the House took up resolutions from the Senate, entitled

Resolutions in regard to tax on cotton levied by the General Government.

Said resolutions read as follows, viz:

WHEREAS, The tax upon cotton levied and collected by the Government of the United States during the years 1865, 1866, and 1867, was, in our judgment, most unjust and oppressive to the people of the cotton-growing States, in that it was a direct tax upon industry, and imposed upon them at a time when they were prostrated and impoverished by war and the attendant consequences; and whereas, the people of those States have, through their respective Legislatures and Chambers of Commerce, petitioned the Congress of the United States

to authorize the refunding of this tax; and whereas, we believe the refunding of this, an unequal tax, levied, as it was, on the industry of a minority of the States, to be only a matter of even-handed but tardy justice to those with whom the people of this State are identified, as well by ties of blood as by common interest; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That we do most respectfully and earnestly memorialize the Honorable the Congress of the United States to pass a law refunding to the people of the cotton-growing States the amount of taxes collected on cotton during the years 1865, 1866, and 1867.

2. *Resolved*, That the Governor is hereby authorized and required to transmit a copy of this memorial to the Congress of the United States, through our Senators and Representatives therein.

The question was then taken on concurring in said resolutions, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sellers and Caldwell, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Wm. G. Conrad, | Wm. Mynhier, |
| Wm. A. Allen, | Thomas H. Corbett, | J. L. Nall, |
| A. C. Armstrong, | Joseph M. Davidson, | John W. Ogilvie, |
| W. W. Ayers, | W. W. Deaderick, | Julian N. Phelps, |
| G. W. Bailey, | T. S. Fish, | Lewis Potter, |
| W. W. Baldwin, | James B. Fitzpatrick, | W. L. Reeves, |
| Alpheus W. Bascom, | Joseph P. Foree, | E. A. Robertson, |
| W. R. Bates, | James Garnett, | John Rowan, |
| W. N. Beckham, | E. A. Graves, | John P. Rowlett, |
| John A. Bell, | C. P. Gray, | J. P. Sacksteder, |
| S. C. Bell, | Clinton Griffith, | Samuel M. Sanders, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | James W. Snyder, |
| Church H. Blakey, | T. M. Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | T. J. Jones, | Harry I. Todd, |
| W. B. M. Brooks, | J. S. Lawson, | L. W. Trafton, |
| W. W. Bush, | J. J. McAfee, | Joseph T. Tucker, |
| Robert M. Carlisle, | Bryan S. McClure, | T. W. Varnon, |
| John S. Carpenter, | Wm. J. McElroy, | J. L. Waring, |
| George Carter, | M. E. McKenzie, | C. H. Webb, |
| James S. Chrisman, | T. J. Megibben, | J. M. White, |
| C. M. Clay, jr., | J. C. Moorman, | F. A. Wilson, |
| J. Guthrie Coke, | W. A. Morin, | S. H. Woolfolk—66. |

Those who voted in the negative were—

| | | |
|---|---|---|
| Thomas P. Cardwell, | W. H. Evans, | Hiram S. Powell, |
| Josiah H. Combs, | J. P. Hampton, | Wm. Sellers, |
| J. E. Cosson, | J. A. McCampbell, | T. J. Walker, |
| Walter Evans, | Mat. Nunan, | Jonas D. Wilson—12. |

And so said resolutions were concurred in

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Foree, from a select committee—

A bill to create an additional voting precinct in Shelby county.

By Mr. Armstrong, from a select committee—

A bill to amend the charter of the Brookville and Rock Spring Turnpike Road Company.

By Mr. J. D. Wilson, from a select committee—

A bill to require the county court of Christian county to appoint commissioners to divide said county into not less than fifteen magisterial districts.

By Mr. Bates, from a select committee—

A bill to regulate sales made under decrees of the Barren circuit court.

By Mr. Griffith, from a select committee—

A bill for the benefit of J. F. Dempsey, of Hopkins county.

By Mr. S. C. Bell, from a select committee—

A bill to amend an act, entitled "An act to incorporate the town of Glasgow Junction," approved March 9, 1871.

By Mr. Reeves, from the Committee on the Judiciary—

A bill to prevent the sale of spirituous or malt liquors in the town of Elkton, or within the limits of one mile of the corporate limits thereof.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Graves, from the select committee who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors," approved March 22, 1871.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Blackburn,

*Ordered*, That said bill be printed, and made the special order of the day for Thursday next, at 11 o'clock, A. M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Conrad—

1. A bill to increase the jurisdiction of justices of the peace of this Commonwealth.

On motion of Mr. Garnett—

2. A bill to repeal an act to amend section 1, article 3, chapter 47, Revised Statutes, approved December 20, 1865.

On motion of Mr. Bates—

3. A bill to amend the 4th section of an act, entitled "An act to incorporate the town of Glasgow Junction," approved March 9, 1871.

On motion of Mr. Hoskins—

4. A bill to legalize dissections in certain cases by the medical profession.

On motion of Mr. Cardwell—

5. A bill for the benefit of James W. Lindon.

On motion of Mr. F. A. Wilson—

6. A bill to amend an act, entitled "An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence," so as to extend the provisions of the same to the counties of Lyon and Trigg.

On motion of same—

7. A bill to prevent the destruction of fish in the Cumberland and Tennessee rivers.

On motion of Mr. Morin—

8. A bill to repeal an act, entitled "An act to change the time for the payment of the revenue into the State Treasury and to amend the revenue laws."

On motion of Mr. Tucker—

9. A bill to amend sections 1, 3, 4, 5, 6, and 9, of article 11, chapter 28, of the Revised Statutes.

On motion of same—

10. A bill to repeal an act for the benefit of Clark and Montgomery counties, approved February 6, 1871.

On motion of same—

11. A bill to repeal certain portions of sections 36 and 40, chapter 106, of the Revised Statutes.

On motion of same—

12. A bill to amend section 4, article 1, chapter 99, of the Revised Statutes.

On motion of same—

13. A bill to amend section 5, chapter 83, of the Revised Statutes.

On motion of same—

14. A bill to amend the charter of the town of Winchester.

On motion of Mr. Powell—

15. A bill in relation to persons held to bail for felony in this Commonwealth.

On motion of Mr. Davidson—

16. A bill to amend an act to provide for the improvement of the Big Sandy river.

On motion of same—

17. A bill to amend an act to cause good school-houses to be erected in the 8th and 9th Congressional Districts.

On motion of Mr. Sellers—

18. A bill to amend section 4, chapter 99, of the Revised Statutes.

On motion of Mr. Woolfolk—

19. A bill to charter the Hopkins County Stock, Agricultural, and Mechanical Association.

On motion of Mr. W. H. Evans—

20. A bill to reduce the salaries on the Wilderness Turnpike Road, in Knox and Josh Bell counties.

On motion of same—

21. A bill exempting certain persons in Knox and Josh Bell counties from paying toll on the Wilderness Turnpike.

On motion of Mr. Speaker (McCreary)—

22. A bill to change the time of holding the Madison county court of claims.

On motion of Mr. Graves—

23. A bill to amend the execution laws of this State.

On motion of Mr. Flippin—

24. A bill to further amend the 26th section of the Civil Code of Practice.

On motion of Deaderick—

25. A bill to incorporate the Pendleton Building and Savings Association of Falmouth, Ky.

On motion of Mr. Reeves—

26. A bill to prevent the sale of liquors in Elkton, Todd county.

On motion of Mr. Little—

27. A bill to reduce into one the several acts exempting property from sale under execution in this Commonwealth.

On motion of Mr. Carlisle—

28. A bill authorizing the court of claims of Kenton county to levy a tax to pay off the county indebtedness.

On motion of same—

29. A bill to authorize a committee appointed by the Kenton county court of claims to sell the poor-house farm of said county.

On motion of Mr. Waring—

30. A bill to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

On motion of Mr. Hampton—

31. A bill for the benefit of Wilson Morgin, of Clay county, and others.

On motion of Mr. Waring—

32. A bill for the benefit of common schools in Greenup county.

On motion of Mr. Chrisman—

33. A bill to authorize Miles Greenwood, W. Hooper, R. M. Bishop, Philip Heidelbach, and E. A. Ferguson, trustees of the city of Cincinnati, Ohio, to construct a line of railway through this Commonwealth.

*Ordered*, That the Committee on Revised Statutes prepare and bring in the 1st, 2d, 7th, 9th, 10th, 11th, 12th, 13th, and 18th; the Committee on Propositions and Grievances the 4th; the Committee on Ways and Means the 5th; the Committee on Agriculture and Manufactures the 6th and 19th; the Committee on the Sinking Fund the 8th; the Committee on Corporate Institutions the 14th and 25th; the Committee on Circuit Courts the 15th and 31st; the Committee on Internal Improvement the 16th, 20th, and 21st; the Committee on Education the 17th, 30th, and 32d; the Committee on County Courts the 22d, 28th, and 29th; the Committee on the Judiciary the 23d, 26th, and 27th; the Committee on Codes of Practice the 24th; the Committee on Railroads the 33d; and a select committee, consisting of Messrs. S. C. Bell, McClure, and McElroy, the 3d.

And then the House adjourned.

## MONDAY, DECEMBER 11, 1871.

The following petitions were presented, viz:

By Mr. Corbett—

1. The petition of Rebecca C. Hill, praying to be permitted to retail ardent spirits on the payment of the tax required by law.

By Mr. Bush—

2. The petition of citizens of Simpson county, praying that Mike Ryan, of said county, may be allowed to peddle without paying for a license so to do.

By Mr. Powell—

3. The petition of citizens of Jackson and Estill counties, praying for an appropriation to remove the obstructions to the navigation of Station Camp creek, &c.

By Mr. Bailey—

4. The petition of citizens of Webster county, praying that Bailum Hicks may be allowed to sell ardent spirits without payment of State tax.

By Mr. Walker—

5. The petition of citizens of Lewis county, praying for a charter for a turnpike road upon a certain route therein named, and to levy a certain tax in aid thereof.

By Mr. Graves—

6. The petition of Mrs. Russell Kavanaugh, praying for an appropriation to her of a sum equal to one year's salary of a circuit judge on account of the services as such of her deceased husband, Hon. G. W. Kavanaugh.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the Committee on County Courts; the 2d to the Committee on the Judiciary; the 3d and 5th to the Committee on Internal Improvement; and the 6th to the Committee on Claims.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Geo. R. Lewis.

An act for the benefit of Wm. R Patterson, of Bath county.

And that they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4, 1865.

2. An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4, 1865.

3. An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st and 2d to the Committee on Codes of Practice, and the 3d to the Committee on Internal Improvement.

Mr. Ayers, from the Committee on Religion, who were directed to prepare and bring in the same, reported

A bill to incorporate the Hebron Cemetery Company, in Boone county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bascom, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act to incorporate the Western Tobacco Bank and Warehouse Company,

Reported the same with amendments thereto.

Which were adopted.

Mr. Foote moved to print said bill, with the amendments thereto adopted by this House, and to postpone the further consideration thereof, and make the same the special order of the day for January 15th, 1872, at 11 o'clock, A. M.

Mr. Varnon called for a division of the question.

The question was first taken on postponement till the day named, and it was decided in the affirmative.

The question was then taken on the motion to print, and it was decided in the affirmative.

And so the further consideration of said bill and amendments was postponed, and made the special order of the day for 15th January next, at 11 o'clock, A. M., and ordered to be printed.

On motion of Mr. Woolfolk, leave of absence, indefinitely, was granted to Mr. Dyer.

Mr. Blakey read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That on Thursday next, the 14th inst., at 11 o'clock, the General Assembly will proceed to the election of Public Printer and Public Binder.

Mr. W. Evans offered the following resolution, viz:

*Resolved*, That the Committee on the Judiciary be instructed to ascertain what legislation, if any, is necessary to carry into effect, in this Commonwealth, the law of the United States, recently enacted, regulating the election of Representatives in Congress, and to bring in such bill as may be requisite for that purpose.

Mr. Graves moved to amend said resolution by striking out of the same the words, "and to bring in such bill as may be requisite for that purpose."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Said resolution, as amended, was then adopted.

Mr. Flippin offered the following resolution, viz:

*Resolved*, That the committee heretofore appointed to revise the rules of this House be, and they are hereby, requested to report the result of their deliberations to this House on or before the 14th inst.

Which was adopted.

Mr. E. Polk Johnson offered the following resolution, viz:

*Resolved*, That the Sergeant-at-Arms of this House is hereby instructed to subscribe for a copy of the Daily Frankfort Yeoman for each member of this House who may desire the same, in addition to the two papers heretofore subscribed for by them.

Which was adopted.

Mr. Bush offered the following resolution, viz:

*Resolved*, That the question of modifying the statutory laws of this Commonwealth, so as to lawfully authorize the reception of negro testimony in the State courts, be referred to the Judiciary Committee, who are instructed to promptly report by bill or otherwise.

On motion of Mr. Bush, the consideration of said resolution was postponed till to-morrow.

Mr. Carpenter read and laid on the table the following preamble and joint resolution, viz:

Whereas, In the recent competition between the Pennsylvania Central and Chesapeake and Ohio Railroad Companies for the control and purchase of the Louisville, Frankfort, and Lexington, and Louisville and Cincinnati Railroads, the president and directors of the Chesapeake and Ohio Railroad Company have bound themselves to take and pay for all the common stock in the above Kentucky Railroads at the rate of sixty-five cents on the dollar, payable in six, nine, and twelve months, with interest, if accepted on or before the 27th inst., it being over eighty per cent on previous quotations for said stock. In order to secure the sale of the stocks at above rates, it is necessary that immediate action be taken on this subject; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund be, and are hereby, authorized and required to sell, before the 27th inst., to the Chesapeake and Ohio Railroad Company, the State interest in the common stock of the Louisville, Frankfort, and Lexington, and Louisville and Cincinnati Railroads, at sixty-five cents on the dollar, on six, nine, and twelve months' credit, with interest.

Leave was given to bring in the following bills, viz:

On motion of Mr. Corbett—

1. A bill to amend an act, entitled "An act regulating the inspection and selling of tobacco in the city of Louisville," approved March 12, 1870.

On motion of same—

2. A bill for the benefit of Major Fields, of Ballard county.

On motion of Mr. Bates—

3. A bill to amend an act relating to the town of Glasgow.

On motion of Mr. Bascom—

4. A bill to amend section 1, article 17, chapter 38, entitled "Fees," of the Revised Statutes.

On motion of Mr. Fish—

5. A bill for the benefit of John E. Walton, of Kenton county.

On motion of Mr. Griffith—

6. A bill to amend the charter of the Owensboro Savings Bank.

On motion of Mr. Davidson—

7. A bill for the benefit of Floyd county.

On motion of Mr. Woolfolk—

8. A bill to establish a system of public schools for the town of Madisonville.

On motion of same—

9. A bill to create a sinking fund for the town of Madisonville.

On motion of Mr. Carpenter—

10. A bill to authorize the purchase of a small library for the convicts in the penitentiary.

On motion of Mr. Graves—

11. A bill to establish a third Lunatic Asylum at Lebanon.

On motion of Mr. Mynhier—

12. A bill for the benefit of Farish Arnett, of Magoffin county.

On motion of Mr. Bush—

13. A bill to grant to county court judges jurisdiction to try and punish persons guilty of petit larceny.

On motion of Mr. McKenzie—

14. A bill to amend the charter of the Louisville, Memphis, and New Orleans Railway Company.

On motion of Mr. Little—

15. A bill to re-enact an act, entitled "An act for the benefit of the citizens of the town of Williamsburg, in Whitley county."

On motion of Mr. Corbett—

16. A bill for the benefit of David Atherton.

On motion of Mr. Arnold—

17. A bill for the benefit of the sheriffs of this Commonwealth.

On motion of Mr. Blakey—

18. A bill to increase the jurisdiction of the quarterly courts and justices of the peace of Logan county.

*Ordered*, That the Committee on County Courts prepare and bring in the 2d and 7th; the Committee on Corporate Institutions the 3d and 9th; the Committee on Revised Statutes the 4th; the Committee on Banks the 6th; the Committee on Education the 8th; the Committee on Printing the 10th; the Committee on Charitable Institutions the 11th; the Committee on Claims the 12th; the Committee on the Judiciary the 13th, 16th, and 18th; the Committee on Railroads the 14th; the Committee on Religion the 15th; the Committee on Ways and Means the 17th; a select committee, consisting of Messrs. Chrisman, Jones, and Ogilvie, the 1st; and a select committee, consisting of Messrs. Fish, Carlisle, and Moorman, the 5th.

And then the House adjourned.

## TUESDAY, DECEMBER 12, 1871.

The following petitions were presented, viz:

By Mr. Robertson—

1. The petition of citizens of Fleming county, praying for the repeal of an act for the benefit of Fleming County Seminary, approved March 9, 1868.

By Mr. Waide—

2. The petition of Mrs. Amanda M. Mount, administratrix of Jas. Mount, deceased, praying the passage of an act authorizing the payment to her of a certain sum of money for property alleged to be impressed for the service of the State in repelling invasion.

By Mr. Bailey—

3. The petition of R. K. Thornberry, school commissioner of Webster county, praying for sundry amendments to the common school law.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Education, and the 2d to the Committee on Claims.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—

An act discontinuing so much of the public road leading from Bardstown to Elizabethtown as lies within one mile of Bardstown.

By same—

An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Coke, from the Committee on the Judiciary—

A bill for the benefit of Richard W. Neely.

By Mr. Garnett, from the same committee—

A bill to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes.

By Mr. Armstrong, from the Committee on Education—

A bill for the benefit of school district No. 8, fractional, and No. 51, in Hart county.

By same—

A bill to incorporate the Bourbon Female College.

By Mr. Ogilvie, from the Committee on Internal Improvement—

A bill to incorporate the Bourbon Building and Savings Association of Paris.

By same—

A bill to amend an act, entitled "An act to incorporate the West Paris Bridge Company," approved March 15, 1871.

By Mr. Tucker, from the Committee on the Revised Statutes—

A bill to repeal an act, entitled "An act to protect the public highways in Clark and Montgomery counties."

By Mr. Blackburn, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company."

By Mr. Fish, from a select committee—

A bill for the benefit of John E. Walton, of Kenton county.

By Mr. Bates, from the Committee on Circuit Courts—

A bill to fix the time of holding the Montgomery circuit court.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tucker, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to protect fish in Drake's creek, in Simpson county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bush moved an amendment thereto.

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bush, from the Committee on the Judiciary, who were directed to prepare and bring in a bill to take the sense of the people of this State as to the propriety of calling a convention to alter and amend the Constitution of this State, moved that said committee be discharged from the further consideration thereof.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. Evans and Baker, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Wm. G. Conrad, | J. L. Nall, |
| Wm. A. Allen, | R. L. Cooper, | John W. Ogilvie, |
| George W. Anderson, | Thomas H. Corbett, | Julian N. Phelps, |
| A. C. Armstrong, | W. W. Deaderick, | Lewis Potter, |
| A. S. Arnold, | M. Woods Ferguson, | W. L. Reeves, |
| W. W. Ayers, | T. S. Fish, | E. A. Robertson, |
| G. W. Bailey, | James B. Fitzpatrick, | John Rowan, |
| W. W. Baldwin, | C. D. Foote, | John P. Rowlett, |
| Alpheus W. Bascom, | Joseph P. Foree, | J. P. Sacksteder, |
| W. R. Bates, | James Garnett, | J. R. Sanders, |
| W. N. Beckham, | C. P. Gray, | Samuel M. Sanders, |
| John A. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| S. C. Bell, | George M. Jesse, | James W. Snyder, |
| J. C. S. Blackburn, | E. Polk Johnson, | Wm. Tarlton, |
| Church H. Blakey, | T. M. Johnson, | J. S. Taylor, |
| Wm. F. Bond, | T. J. Jones, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. S. Lawson, | Harry I. Todd, |
| W. W. Bush, | Bryan S. McClure, | L. W. Trafton, |
| Robert M. Carlisle, | Wm. J. McElroy, | Joseph T. Tucker, |
| John S. Carpenter, | M. E. McKenzie, | E. F. Waide, |
| George Carter, | T. J. Megibben, | C. H. Webb, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| C. M. Clay, jr., | W. A. Morin, | F. A. Wilson, |
| J. Guthrie Coke, | Wm. Mynhier, | S. H. Woolfolk—71. |

Those who voted in the negative were—

| | | |
|---|---|---|
| R. Tarv. Baker, | Manlius T. Flippin, | Mat. Nunan, |
| Thomas P. Cardwell, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| Josiah H. Combs, | E. A. Graves, | Wm. Sellers, |
| J. E. Cosson, | J. P. Hampton, | Jonas D. Wilson, |
| Walter Evans, | G. W. Little, | J. N. Woods, |
| W. H. Evans, | J. A. McCampbell, | J. M. Wright—18. |

The Speaker laid before the House the following report of the State Librarian, viz:

OFFICE OF STATE LIBRARIAN,
FRANKFORT, KY., December 1st, 1871.

*To the Senate and House of Representatives*:

I have the honor respectfully to submit the following report in accordance with law, viz:

RECEIVED THE FOLLOWING BOOKS FROM THE SECRETARY OF STATE FROM 1ST FEBRUARY, 1870, TO 1ST DECEMBER, 1871:

| | | |
|---|---|---|
| Acts of Kentucky for 1869-'70 | 50 | volumes |
| Senate Journal for 1869-'70 | 25 | " |
| House Journal for 1869-'70 | 25 | " |
| Documents for 1869 | 50 | " |
| Acts of Kentucky for 1871 | 50 | " |
| Senate Journal for 1871 | 25 | " |
| House Journal for 1871 | 25 | " |
| Documents for 1870 | 25 | " |
| Bush's Kentucky Reports, 10 copies of the 5th, 6th, and 7th volumes | 30 | " |
| Alabama Reports, 43d and 44th volumes | 2 | " |
| Arkansas Reports, 25th volume; the Constitution of | 2 | " |
| California Reports, 37th, 38th, and 39th volumes; Catalogue of the State Library of, 2 volumes; School Report for 1869-'70, of | 6 | " |
| Connecticut Reports, 35th and 36th volumes; Documents for 1870-'71, 2 volumes; Acts of, for 1870-'71, 3 volumes; House and Senate Journal for 1870-'71, 4 volumes | 11 | " |
| Connecticut, History of, During Late War; Colonial Records from 1706 to 1716; Report of the Board of Agriculture for 1869, of; Private Laws from 1857 to 1865, of | 4 | " |
| Delaware Reports, 1st volume Houston's and 5th volume Harrington's | 2 | " |
| Florida Reports, 12th volume | 1 | " |
| Georgia Reports, 31st, 32d, 38th, 39th, and 40th volumes; Catalogue of the State Library of | 6 | " |
| Illinois Reports, 44th, 47th, 48th, 49th, 50th, and 51st volumes; 4th volume of Geological Survey of | 7 | " |
| Indiana Reports, 31st, 32d, and 33d volumes; Acts of, Special Session for 1861, 1865, and 1869; Acts of, Regular Session, for 1863, 1865, and 1867 | 9 | " |
| Iowa Reports, 27th, 28th, and 29th volumes; Laws for 1870, of; House and Senate Journals for 1870, of, 2 volumes; Legislative Documents for 1870, of; Geological Survey for 1870, of, 2 volumes | 9 | " |

Louisiana Annual Reports, 19th, 20th, and 21st volumes; Acts for 1868 and 1869, of, 2 volumes; Codes of Practice, of (two editions), 3 volumes; Digest of the Decisions of the Supreme Court; Revised Statutes, of; Civil Code, of; Acts, Reports, &c., for 1868, 1869, and 1869-'70, 6 volumes; House and Senate Journals, for 1869-'70, 2 volumes ..... 19 volumes

Maine Reports, 56th and 57th volumes; Virgin's Supplement Digest of the Reports of ..... 3 "

Maryland Reports, 30th, 31st, 32d, and 33d volumes ..... 4 "

Massachusetts Reports, 99th, 100th, 101st, 102d, and 103d volumes; 16th volume of Gray's; Public Documents for 1869, 4 volumes; Acts for 1870, of ..... 11 "

Michigan Reports, 18th and 19th volumes; House Journal for 1869, of, 3 volumes; Senate Journal for 1869, of, 2 volumes; Joint Documents for 1869, of; Laws for 1870, of; School Report for 1869, of ..... 10 "

Minnesota Reports, 14th volume ..... 1 "

Missouri Reports, 44th, 45th, 46th, and 47th volumes ..... 4 "

Nevada Reports, 4th, 5th, and 6th volumes; Statutes of ..... 4 "

New Hampshire Reports, 48th volume ..... 1 "

New Jersey Equity Reports, 20th volume; Law Reports, 33d volume ..... 2 "

New York Reports, 53d and 54th volumes Barbour's; 40th, 41st, 42d, and 43d volumes; 1st, 2d, and 3d volumes Lansing's ..... 9 "

North Carolina Reports, 43d volume ..... 1 "

Ohio State Reports, 18th and 19th volumes ..... 2 "

Oregon Reports, 2d volume ..... 1 "

Pennsylvania Reports, 59th, 60th, 61st, 62d, 63d, and 64th volumes; Laws for 1869'-70, 2 volumes; Executive Documents for 1869-'70, 2 volumes; Legislative Documents for 1870; School Laws and Decisions of; School Report for 1869; House Journal for 1870; Senate Journal for 1870 ..... 15 "

South Carolina Equity Reports, 14th volume; Law Reports, 15th volume; Acts for 1869-'70, of, 3 volumes; Reports and Resolutions of the General Assembly for 1869-'70; Reports and Resolutions of the General Assembly for 1871; House and Senate Journals for 1869-'70, 2 volumes; House and Senate Journals for 1871, 2 volumes ..... 11 "

Tennessee Reports, 6th volume Caldwell's and 1st volume Heiskell's ..... 2 "

Vermont Reports, 42d volume; House and Senate Journals for 1869-'70, 4 volumes, of; Laws for 1869-'70, of, 2 volumes; Historical Society's Collections, 2 volumes; 12th Registration Report for 1868, of; Dairyman's Association for 1869-'70; General Statutes, with Appendix, for 1870; Legislative Documents for 1870-'71 ..... 12 "

Virginia Reports, 19th and 20th volumes Grattan's ..... 2 "

Wisconsin Reports, 23d, 24th, and 25th volumes ..... 3 "

Acts and Resolves of the Province of Massachusetts Bay from 1692 to 1814 ... 1 "

Total ..... 471 volumes

## BOOKS PRESENTED TO THE LIBRARY.

Memorial Addresses on W. Pitt Fessenden; Report of the United States Commissioners to the Paris Exposition, 6 volumes, presented by Hon. Jas. B. Beck ..... 7 volumes

| | |
|---|---|
| 16th and 17th volumes Smithsonian Contributions to Knowledge; 8th and 9th volumes of Smithsonian Collections, presented by the Smithsonian Institute | 4 volumes |
| The American Crisis, presented by Mr. John Lewis Peyton | 1 " |
| Charter, Acts, and Ordinances of the city of Louisville from 1780 to 1869, presented by Hon. Wm. F. Barret | 1 " |
| Catalogue of the Public Library of Cincinnati, presented by Messrs. Robert Clark & Co. | 1 " |
| Selections from the Writings of Thos. H. Genin, presented by Mr. John N. Genin | 1 " |
| Brief and Record of the Covington and Lexington Railroad Company vs. Winslow, Bowler's Heirs, and Others, presented by Mr. Peter Zinn | 1 " |
| Washington Astronomical and Meteorological Observations of the United States Naval Observatory for 1868, presented by Commodore B. F. Sands, | 1 " |
| Total | 17 volumes |

BOOKS PURCHASED BY THE COURT OF APPEALS TO OCTOBER 10TH, 1871.

| | |
|---|---|
| Wallace's Supreme Court Reports, 8th volume | 1 volume |
| English Common Law Reports, 111th volume | 1 " |
| Howard's Practice Reports, 38th volume | 1 " |
| The American Law Register for 1870 | 1 " |
| English Common Law Reports, 112th volume | 1 " |
| Wallace's Supreme Court Reports, 9th volume | 1 " |
| United States Digest, 27th volume | 1 " |
| Howard's Practice Reports, 39th volume | 1 " |
| Wallace's Supreme Court Reports, 10th volume | 1 " |
| Wallace's Supreme Court Reports, 11th volume | 1 " |
| Howard's Practice Reports, 40th volume | 1 " |
| United States Digest, 28th volume | 1 " |
| The Annual Cyclopædia for 1869-'70 | 2 " |
| Campbell's Lives of the Chancellors | 10 " |
| Digest of Fire Insurance Decisions | 1 " |
| Charter, Acts, and Ordinances of the city of Louisville from 1780 to 1869 | 1 " |
| Gwinne on Sheriffs | 1 " |
| Shearman & Redfield on Negligence | 1 " |
| Taylor's Law Glossary | 1 " |
| Brightley's Federal Digest from 1789 to 1868 | 1 " |
| Schouler's Domestic Relations | 1 " |
| Life and Accident Insurance Reports | 1 " |
| Redfield on the Law of Railways | 2 " |
| Redfield's American Railway Cases | 1 " |
| Leading Cases on Elections | 1 " |
| Upton's Trade Marks | 1 " |
| Herman's Law of Estoppel | 1 " |
| Total | 38 volumes |
| Total paid for books, with express charges | $235 40 |

| | |
|---|---|
| Amount of the sale of one carpet from the Capitol, November, 1870 | $10 00 |
| Amount of the sale of three carpets from Executive Mansion | 71 00 |
| Amount of the sale of one carpet from the Capitol | 26 00 |
| Amount of the sale of coal dust from Executive Mansion and the Capitol | 14 05 |
| Paid into Treasury | $121 05 |

G. B. CRITTENDEN, *State Librarian.*

Mr. Deaderick, from the Committee on Enrollments, reported that they had examined an enrolled resolution, which originated in the Senate, entitled

Resolution in regard to tax on cotton levied by the General Government;

And also an enrolled resolution, which originated in the House of Representatives, entitled

Resolution relating to election of United States Senator;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

A message was received from the Senate, announcing that they had adopted a resolution, entitled

Resolution in relation to Congressional apportionment.

On motion of Mr. Varnon, the rule requiring said resolution to lie one day on the table was suspended, and the same taken up,

Mr. Chrisman offered an amendment to said resolution.

Which was adopted.

Said resolution, as amended, was then concurred in.

On motion, leave of absence for four days was granted to Mr. Tarlton.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Geo. R. Lewis;

An act for the benefit of Wm. R. Patterson, of Bath county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

On motion of Mr. Bush, the House took up for consideration a resolution offered by him on yesterday, entitled

Resolution in regard to negro testimony.

Said resolution was then adopted.

Mr. Graves, from the select committee who were directed to prepare and bring in the same, reported

A bill to amend sections 24, 29, and 827, of the Civil Code of Practice, regulating the jurisdiction and pleadings of quarterly courts and justices of the peace.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Cooper,

*Ordered*, That the further consideration of said bill be postponed until, and made the special order of the day for, January 9, 1872, at 11 o'clock, A. M., and that the same be printed.

On motion of Mr. Carpenter, the preamble and resolution heretofore offered by him in relation to sale of State stock in certain railroads was referred to the Committee on Ways and Means.

Mr. McClure offered the following resolution, viz:

*Resolved*, That the Sergeant-at-Arms is hereby instructed to prepare an alphabetical list of the names of the members of this House, with the county each one represents, together with his post-office and occupation; and, when completed, one hundred copies be printed for the use of the members of this House.

Which was adopted.

Mr. Cooper read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this Legislature adjourns on the 20th day of December, 1871, it will adjourn to meet on the 4th day of January, 1872.

The Speaker laid before the House the response of the Auditor of Public Accounts to a resolution heretofore adopted, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., December 12, 1871.

HON. J. B. MCCREARY, *Speaker of House of Representatives:*

SIR: In response to the resolution adopted in the House of Representatives on the 9th inst., directing me to furnish that body with the information "upon whose order, to whom, for what purpose, and for what amount, he (the Auditor) issued his warrants on the Treasurer," under the act approved February 25th, 1860, I submit the annexed statement, giving all the information which the books and papers in this Department furnish on this subject.

I have the honor to be,
Very respectfully,
D. HOWARD SMITH, *Auditor*.

| Date. | No. of war't. | To whom paid. | Upon whose order. | For what purpose. | Amount. |
|---|---|---|---|---|---|
| 1860. | | | | | |
| May 25 | 2,017 | John Haly | Commissioners | Rebuilding city cistern | $125 00 |
| September 27 | 3,312 | J. W. South | Commissioners | Improvements and repairs on Penitentiary | 4,000 00 |
| October 18 | 3,482 | J. W. South | Commissioners | Hemp-house building | 4,000 00 |
| December 12 | 4,057 | J. W. South | Commissioners | Hemp-house, grading, kitchen improvement | 4,000 00 |
| 1861. | | | | | |
| January 15 | 166 | J. W. South | Commissioners | Balance on hemp-house | 12,000 00 |
| March 14 | 1,069 | J. W. South | Commissioners | Work done on cell-house | 2,000 00 |
| May 27 | 2,568 | Hugh Rodman | Act 24th May, 1861 | For services as Commissioner | 250 00 |
| May 27 | 2,570 | C. Drake | Act 24th May, 1861 | For services as Commissioner | 50 00 |
| July 2 | 3,123 | Jas. Patterson | Act 24th May, 1861 | For services as Commissioner | 100 00 |
| August 6 | 3,470 | J. W. South | Commissioners | Cell-house addition | 750 00 |
| August 25 | 3,638 | J. W. South | Commissioners | Grading and paving prison yard | 1,000 00 |
| October 10 | 4,423 | J. W. South | Commissioners | Balance due on cell-house addition, grave-yard, dining-room, kitchen extension | 15,000 00 |
| November 15 | 4,797 | J. W. South | Commissioners | Material purchased for repairs on west work-shop, and for final completion of cell-house | 1,000 00 |
| 1862. | | | | | |
| January 28 | 214 | B. Magoffin | Comm'rs, and opinion Atty. Gen. | For services as Commissioner | 500 00 |
| January 28 | 215 | H. Rodman | Comm'rs, and opinion Atty. Gen. | For services as Commissioner | 500 00 |
| January 28 | 216 | J. W. South | Commissioners | Material and work on western work-shop | 691 40 |
| February 3 | 278 | C. Drake | Comm'rs, and opinion Atty. Gen. | In full for services as Commissioner | 100 00 |
| February 4 | 281 | A. G. Hodges & Co. | Commissioners | For advertising | 2 25 |
| May 26 | 1,504 | S. I. M. Major | Commissioners | For advertising | 14 25 |
| | | | | Amount paid out of appropriation, 1860 | $46,082 90 |
| 1860. | | | | | |
| August 29 | 3,060 | John Haly | Board of Commissioners | Contract for State Prison extension, &c. | 1,410 05 |
| August 30 | 3,067 | J. W. South | Board of Commissioners | Completion Prison privy | 650 00 |
| September 5 | 94 | R. J. Spurr | Board of Commissioners | As Commissioner, charged to Prison extension | 30 00 |
| 1866. | | | | | |
| October 8 | 165 | S. I. M. Major | Board of Commissioners | For advertising | 3 50 |
| | | | | Whole amount paid | $48,176 45 |

| | | |
|---|---|---|
| Appropriation 1860 | $49,590 25 | |
| Balance appropriation 1856 | 340 22 | |
| | | $49,930 47 |
| Amount paid out of appropriation 1860 | $46,082 90 | |
| Amount paid out of appropriation 1856, on suspended contracts | 2,093 55 | |
| | | 48,176 45 |
| Unexpended balance | | $1,754 02 |
| Unpaid appropriation 1856 | $33 98 | |
| Unpaid appropriation 1860 | 1,720 04 | |
| | | 1,754 02 |
| Balance | | $1,754 02 |

Attest: D. HOWARD SMITH, *Auditor.*

On motion of Mr. Bush, the House took up the joint resolution offered by Mr. Blakey on yesterday in regard to the election of certain public officers.

Amendments were offered thereto by Messrs. Corbett and Carpenter.

Which were adopted.

Said resolution, as amended, reads as follows, viz:

*Resloved by the General Assembly of the Commonwealth of Kentucky*, That on the 9th day of January, 1872, at 11 o'clock, A. M., the General Assembly will proceed to the election of Public Printer, Public Binder, and State Librarian.

Said resolution was then adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Garnett—

1. A bill to amend section 135 of Civil Code of Practice.

On motion of Mr. Walter Evans—

2. A bill to regulate the fees of justices of the peace.

On motion of same—

3. A bill to amend the charter of Hopkinsville.

On motion of Mr. Tucker—

4. A bill for the benefit of the Montgomery and Bath Counties Associated Turnpike Road Company.

On motion of same—

5. A bill to prohibit the use of seines and gill-nets or traps, during the spawning season, in the Kentucky river.

On motion of Mr. Woods—

6. A bill for the benefit of J. H. Walker.

On motion of Mr. Todd—

7. A bill to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15, 1871.

On motion of Mr. Sellers—

8. A bill to amend an act to incorporate the Paint Lick, Walnut Meadow, and Big Hill Turnpike Road Company.

On motion of same—

9. A bill to repeal an act to regulate the sale and storage of illuminating oils, and for other purposes.

On motion of Mr. Jones—

10. A bill to pay jurors in justices' and quarterly courts.

On motion of Mr. Snyder—

11. A bill to amend an act for the benefit of the police judge of the town of Hawesville, Hancock county.

On motion of Mr. Trafton—

12. A bill for the benefit of James D. Hatchitt, of Henderson county.

On motion of Mr. Scales—

13. A bill to prevent destruction of fish in the stream of Bank Lick, in Kenton county.

On motion of Mr. Carpenter—

14. A bill amending the act incorporating the Public Library of Kentucky.

On motion of Mr. Anderson—

15. A bill to amend the charter of the Kentucky Building and Financial Company.

On motion of same—

16. A bill to amend the charter of the Laboring Man's Loan and Aid Association of Louisville.

On motion of Mr. Rowan—

17. A bill to authorize the county court of McLean county to levy an additional tax in said county.

On motion of Mr. Flippin—

18. A bill for the benefit of Wm. McMurtry, of Monroe county.

On motion of Mr. Bush—

19. A bill to incorporate Franklin Charity College.

On motion of Mr. McKenzie—

20. A bill to amend the charter of the New Providence and Princeton Railroad Company.

On motion of Mr. Bailey—

21. A bill for the benefit of Marion Baker, of Webster county.

On motion of Mr. Blackburn—

22. A bill to incorporate the Observer and Reporter Printing Company, of Fayette county.

*Ordered*, That the Committee on Codes of Practice prepare and bring in the 1st; the Committee on Revised Statutes the 2d, 5th, and 13th; the Committee on the Judiciary the 3d and 11th; the Committee on Corporate Institutions the 4th, 7th, 14th, 15th, 16th, and 19th; the Committee on Circuit Courts the 6th; the Committee on County Courts the 8th, 10th, and 17th; the Committee on Agriculture and Manufactures the 9th; the Committee on Claims the 12th; the Committee on Propositions and Grievances the 18th; the Committee on Railroads the 20th; the Committee on Printing the 22d; and a select committee, consisting of Messrs. Bailey, Woolfolk, and Jessee, the 21st.

And then the House adjourned.

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## WEDNESDAY, DECEMBER 13, 1871.

Mr. Cardwell presented the petition of certain citizens of Breathitt county, praying for the modification of an act passed 7th February, 1868, prohibiting the sale of whisky in that county in quantities less than a barrel, except for medicinal purposes, so far as to allow distillers to sell by the quart.

Which was received, the reading dispensed with, and referred to the Committee on Religion.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate the time of holding the circuit courts in Allen county.

An act for the benefit of the city of Lexington, the county of Fayette, and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act amendatory of an act to provide funds for paying troops raised for the defense of the State, approved February 18, 1871.

And that they had passed bills of the following titles, viz:

1. An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpikes, and gravel roads.

2. An act to amend an act, approved February 10, 1866, entitled "An act to exempt homesteads from sale for debt."

3. An act authorizing the presiding judge of Nicholas county to make further subscriptions to unfinished turnpike roads in said county.

4. An act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

5. An act to amend an act, approved February 16, 1866, entitled "An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek."

6. An act to incorporate the Lewisburg and Taylor's Mill Turnpike Road Company, in Mason county.

7. An act to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county.

8. An act to amend an act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16, 1869.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on the Revised Statutes; the 3d, 4th, 5th, and 6th to the Committee on Internal Improvement; the 7th to the Committee on County Courts; and the 8th to the Committee on Ways and Means.

Mr. Bush, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to amend existing laws relating to testimony.

Which was read the first time.

The question was then put, "Shall the bill be read a third time?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph P. Foree, | Hiram S. Powell, |
| George W. Anderson, | James Garnett, | W. L. Reeves, |
| A. C. Armstrong, | Wm. Cassius Goodloe, | E. A. Robertson, |
| A. S. Arnold, | E. A. Graves, | John Rowan, |
| G. W. Bailey, | C. P. Gray, | John P. Rowlett, |
| R. Tarv. Baker, | J. P. Hampton, | J. P. Sacksteder, |
| John A. Bell, | Wm. A Hoskins, | C. C. Scales, |
| S. C. Bell, | George M. Jessee, | Wm. Sellers, |
| Wm. F. Bond, | E. Polk Johnson, | James W. Snyder, |
| W. B. M. Brooks, | T. J. Jones, | J. S. Taylor, |
| W. W. Bush, | J. S. Lawson, | Harry I. Todd, |
| George Carter, | G. W. Little, | Joseph T. Tucker, |
| James S. Chrisman, | J. A. McCampbell, | T. W. Varnon, |
| C. M. Clay, jr., | Bryan S. McClure, | E. F. Waide, |
| J. Guthrie Coke, | Wm. J. McElroy, | T. J. Walker, |
| Josiah H. Combs, | W. A. Morin, | J. L. Waring, |
| J. E. Cosson, | J. L. Nall, | J. M. White, |
| Walter Evans, | Mat. Nunan, | Jonas D. Wilson, |
| W. H. Evans, | John W. Ogilvie, | J. N. Woods, |
| Manlius T. Flippin, | Julian N. Phelps, | S. H. Woolfolk, |
| C. D. Foote, | Lewis Potter, | J. M. Wright—63. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | Joseph M. Davidson, | Wm. Mynhier, |
| W. R. Bates, | W. W. Deaderick, | J. R. Sanders, |
| J. C. S. Blackburn, | M. Woods Ferguson, | Samuel M. Sanders, |
| Church H. Blakey, | T. S. Fish, | C. W. Threlkeld, |
| Robert M. Carlisle, | James B. Fitzpatrick, | L. W. Trafton, |
| Wm. G. Conrad, | Thos. M. Johnson, | C. H. Webb, |
| R. L. Cooper, | J. J. McAfee, | F. A. Wilson—23. |
| Thomas H. Corbett, | J. C. Moorman, | |

Said bill was then read a second time as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter no person shall be incompetent to testify on account of race, color, or previous condition of servitude.

On motion of Mr. Bush,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, Monday, 18th inst., at 11 o'clock, A. M., and that the same be printed.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, December 13, 1871.

HON. JAMES B MCCREARY, *Speaker of the House of Representatives:*

In compliance with the resolution of the House of Representatives, addressed to the Commissioners of the Sinking Fund, concerning the sale of turnpike stocks, &c., I here present to that body, through you, the response of said board.

Respectfully,

P. H. LESLIE.

HON. J. B. MCCREARY, *Speaker of House of Representatives:*

In response to a resolution of the House of Representatives, requiring the Commissioners of the Sinking Fund to report, at their earliest convenience, "all that they have done under the act authorizing and directing the sale of the interest and stock owned by the State in turnpike roads or turnpike road companies," approved March 7th, 1871; also, what they have done under the act to provide for the payment of the State debt, approved March 23d, 1871; and what amendments are necessary, if any, to either of said acts, to protect the interests of the State, and carry out the original intention of said acts," the board begs leave to report:

That on the 16th of September, 1871, they appointed as the principal agency, at the city of New York, the Bank of America to sell 406 shares of Bank of Louisville stock, and 2,789 shares of the stock of the Bank of Kentucky.

After some correspondence with the Bank of America, it was thought most advisable not to put these stocks on the market in large quantities, but to sell them in small amounts at a time, as the demand should justify, as it seemed to be the opinion of the best informed bankers that any considerable amount of these stocks placed on the market at one time would most certainly depreciate the price.

It seemed to be the opinion of those best informed on this subject, that Louisville would be a better market for these stocks than New York or any Eastern city, and such is the opinion of this board.

Some time in the month of October, 1871, the board appointed Grant Green, Esq., and one of the members of the board, Attorney General Rodman, to visit the two above named banks, and ascertain "what reserved funds or accrued dividends are held by the Bank of Kentucky and Bank of Louisville," before they should make any

sales of the shares of stock aforesaid, who executed the duty assigned them, and made report to the board.

The Bank of Louisville being the holder of a larger amount of the bonds of the State than this board holds of its stock, some effort has been made to exchange the one for the other, as far as the amounts may go; but no agreement as yet has been arrived at.

A negotiation has been opened with the Bank of Kentucky, looking to the appointment of that bank as the agent of this board to sell our bank stocks and pay off the State bonds of the State; but the terms not having been agreed upon, no definite arrangement has been made. That bank will, by the 15th of this month, make the board a definite proposition, which can then be accepted or rejected.

There has been no sales made of these stocks, or any of them, as yet, because the board believes they are, intrinsically, worth more than the market quotations; yet it will not be an easy matter to sell them for more.

On the subject of sales of the State's shares of stock in turnpikes, the board, in strict adherence to the directions of the act of March 7th, 1871, appointed an agent and had an appraisement made, and minimum price fixed, of the stock of each road in which the State owned shares, with the exception of a few of inconsiderable value, which appraisement fixed the aggregate value of the State's shares in twenty turnpike roads at $279,782; and the board directed their agent to correspond with the county courts as directed by said act, and make an effort to sell to them, which he reported was done, but that the county courts were disinclined to purchase.

The board then caused advertisement to be made, inviting bids for the State's stock in each of said twenty turnpikes so valued as aforesaid, reserving the right to accept or reject any bid that might be made.

Bids were made for the greater part of the stock so offered, and these bids were opened, examined, and listed in presence of the board, some being absolutely rejected, and others, to-wit: for the State's shares in eleven turnpike roads, accepted—a majority of the board voting therefor—with the proviso that the State is entitled to its proportion of the money and securities now in the hands of the Treasurer, or other officer or agent of the several roads; and the further proviso, that the State shall be entitled to the dividend to be declared on her stock in each of said roads in January, 1872.

The agent was ordered to notify the bidders, whose bids were so accepted, of the fact, and of the two provisoes, and if acquiesced in by them, to prepare bonds for the purchasers in accordance with the terms of sale, and with the foregoing provisoes embodied in each, and report back to the board. But before any report was made, or any contract was closed, this board being requested by resolution of the House of Representatives to suspend all further proceedings under said act of March 7, 1871, and the Senate having also passed a similar resolution, the agent was so instructed, and no contract has been closed.

A majority of the board believed, when they accepted the bids with the provisoes aforesaid, that the amounts bid were such that the sales of the residue would make up, with that which they had thus conditionally sold, the full amount of $200,000, as contemplated by the 10th section of said act.

P. H. LESLIE,
*Chairman of Board of Commissioners of Sinking Fund.*

DECEMBER 13, 1871.

Mr. Bush, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill for the benefit of Michael Ryan, of Simpson county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett offered an amendment thereto.

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for Michael Ryan, of Simpson county, and Major Fields, of Ballard county, to peddle and sell goods, wares, merchandise, or products, in person, without license, provided they shall not sell or vend spirituous, vinous, or malt liquors.

§ 2. This act shall be in force on and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James S. Chrisman, | Mat. Nunan, |
| Wm. A. Allen, | Josiah H. Combs, | John W. Ogilvie, |
| A. C. Armstrong, | Wm. G. Conrad, | Hiram S. Powell, |
| A. S. Arnold, | Thomas H. Corbett, | W. L. Reeves, |
| G. W. Bailey, | W. W. Deaderick, | John Rowan, |
| R. Tarv. Baker, | Walter Evans, | John P. Rowlett, |
| W. W. Baldwin, | W. H. Evans, | J. P. Sacksteder, |
| Alpheus W. Bascom, | M. Woods Ferguson, | J. R. Sanders, |
| W. N. Beckham, | C. D. Foote, | C. C. Scales, |
| John A. Bell, | Joseph P. Foree, | C. W. Threlkeld, |
| S. C. Bell, | James Garnett, | Harry I. Todd, |
| J. C. S. Blackburn, | C. P. Gray, | Joseph T. Tucker, |
| Church H. Blakey, | Wm. A. Hoskins, | T. W. Varnon, |
| W. B. M. Brooks, | E. Polk Johnson, | E. F. Waide, |
| W. W. Bush, | T. J. Jones, | T. J. Walker, |
| Thomas P. Cardwell, | J. S. Lawson, | J. M. White, |
| Robert M. Carlisle, | Bryan S. McClure, | J. N. Woods—53. |
| George Carter, | W. J. McElroy, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | George M. Jessee, | Samuel M. Sanders |
| W. W. Ayers, | Thos. M. Johnson, | Wm. Sellers, |
| W. R. Bates, | J. J. McAfee, | James W. Snyder, |
| Wm. F. Bond, | J. A. McCampbell, | J. S. Taylor, |
| C. M. Clay, jr., | M. E. McKenzie, | L. W. Trafton, |
| J. Guthrie Coke, | J. C. Moorman, | J. L. Waring, |
| R. L. Cooper, | W. A. Morin, | C. H. Webb, |
| Joseph M. Davidson, | Wm. Mynhier, | F. A. Wilson, |
| T. S. Fish, | J. L. Nall, | Jonas D. Wilson, |
| James B. Fitzpatrick, | Julian N. Phelps, | S. H. Woolfolk, |
| Manlius T. Flippin, | Lewis Potter, | J. M. Wright—35. |
| E. A. Graves, | E. A. Robertson, | |

*Resolved*, That the title of said bill be so amended as to read,

An act for the benefit of Michael Ryan, of Simpson county, and Major Fields, of Ballard county.

Mr. Graves, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to change the time for the payment of the revenue into the State Treasury and to amend the revenue laws," approved March 22, 1871.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to a select committee consisting of Messrs. Graves, Corbett, Griffith, Bates, Waide, Deaderick, Clay, Chrisman, and Bascom.

Mr. Tucker, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 4, article 1, chapter 99, of the Revised Statutes.

Said bill was read the first time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 4, article 1, chapter 99, of the Revised Statutes, be so amended as to read as follows: That no tavern license shall be granted to any person until he shall take an oath, in open court, that he, in good faith, intends to keep a tavern for the accommodation of the public, and that he will not violate any of the provisions of the law prohibiting the selling of liquors to minors, idiots, or imbeciles.

§ 2. That all the other provisions of said section 4, article 1, chapter 99, of the Revised Statutes, are hereby repealed.

§ 3. This act to take effect from its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and McAfee, were as follows, viz :

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | John W. Ogilvie, |
| Wm. A. Allen, | Walter Evans, | Julian N. Phelps, |
| George W. Anderson, | W. H. Evans, | Hiram S. Powell, |
| A. S. Arnold, | M. Woods Ferguson, | W. L. Reeves, |
| W. W. Ayers, | Manlius T. Flippin, | John P. Rowlett, |
| G. W. Bailey, | C. D. Foote, | J. P. Sacksteder, |
| R. Tarv. Baker, | Joseph P. Foree, | J. R. Sanders, |
| W. W. Baldwin, | James Garnett, | C. C. Scales, |
| W. R. Bates, | Wm. Cassius Goodloe, | William Sellers, |
| W. N. Beckham, | E. A. Graves, | James W. Snyder, |
| John A. Bell, | C. P. Gray, | Harry I. Todd, |
| S. C. Bell, | Clinton Griffith, | L. W. Trafton, |
| J. C. S. Blackburn, | J. P. Hampton, | Joseph T. Tucker, |
| Church H. Blakey, | Wm. A. Hoskins, | T. W. Varnon, |

| | | |
|---|---|---|
| W. B. M. Brooks, | E. Polk Johnson, | E. F. Waide, |
| W. W. Bush, | T. J. Jones, | T. J. Walker, |
| Thomas P. Cardwell, | G. W. Little, | J. L. Waring, |
| George Carter, | J. A. McCampbell, | C. H. Webb, |
| James S. Chrisman, | Bryan S. McClure, | J. M. White, |
| C. M. Clay, jr., | William J. McElroy, | Jonas D. Wilson, |
| J. Guthrie Coke, | J. C. Moorman, | J. N. Woods, |
| Josiah H. Combs, | J. L. Nall, | S. H. Woolfolk, |
| Thomas H. Corbett, | Mat. Nunan, | J. M. Wright—70. |
| J. E. Cosson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | James B. Fitzpatrick, | Lewis Potter, |
| Alpheus W. Bascom, | George M. Jessee, | E. A. Robertson, |
| Wm. F. Bond, | T. M. Johnson, | John Rowan, |
| Robert M. Carlisle, | J. S. Lawson, | Samuel M. Sanders, |
| William G. Conrad, | J. J. McAfee, | J. S. Taylor, |
| R. L. Cooper, | M. E. McKenzie, | C. W. Threlkeld, |
| W. W. Deaderick, | W. A. Morin, | F. A. Wilson—23. |
| T. S. Fish, | Wm. Mynhier, | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Graves, from the select committee who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to amend chapter 53 of the Revised Statutes, title 'Interest and Usury,'" approved March 14, 1871.

Said bill was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act to amend chapter 53 of the Revised Statutes, title "Interest and Usury," and approved March 14, 1871, chapter 1554, of the acts of 1871, be, and the same is hereby, repealed.

§ 2. That this act shall take effect from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Blackburn moved that the further consideration thereof be postponed to, and made the special order of the day for, the last Wednesday in January next, at 11 o'clock, A. M., and that the same be printed.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary), | Thomas H. Corbett, | John W. Ogilvie, |
| Wm. A. Allen, | W. W. Deaderick, | Lewis Potter, |
| George W. Anderson, | Walter Evans, | W. L. Reeves, |
| A. C. Armstrong, | W. H. Evans, | E. A. Robertson, |
| A. S. Arnold, | M. Woods Ferguson, | John Rowan, |
| W. W. Ayers, | T. S. Fish, | John P. Rowlett, |
| G. W. Bailey, | C. D. Foote, | J. P. Sacksteder, |
| R. Tarv. Baker, | Joseph P. Foree, | C C. Scales, |
| W. W. Baldwin, | Wm. Cassius Goodloe, | Wm. Sellers, |
| Alpheus W. Bascom, | C. P. Gray, | James W. Snyder, |
| John A. Bell, | Clinton Griffith, | J. S. Taylor, |
| J. C. S. Blackburn, | J. P. Hampton, | C. W. Threlkeld, |
| Wm. F. Bond, | Wm. A. Hoskins, | Harry I. Todd, |
| W. W. Bush, | E. Polk Johnson, | L. W. Trafton, |
| Thomas P. Cardwell, | T. J. Jones, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. S. Lawson, | T. W. Varnon, |
| George Carter, | G. W. Little, | E. F. Waide, |
| C. M. Clay, jr., | J. J. McAfee, | T. J. Walker, |
| J. Guthrie Coke, | J. A. McCampbell, | J. L. Waring, |
| Josiah H. Combs, | Bryan S. McClure, | F. A. Wilson, |
| Wm. G. Conrad, | J. C. Moorman, | J. N. Woods, |
| R. L. Cooper, | W. A. Morin, | J. M. Wright—66. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. R. Bates, | Manlius T. Flippin, | Mat. Nunan, |
| W. N. Beckham, | James Garnett, | Julian N. Phelps, |
| S. C. Bell, | E. A. Graves, | Hiram S. Powell, |
| Church H. Blakey, | George M. Jessee, | J. R. Sanders, |
| W. B. M. Brooks, | T. M. Johnson, | Samuel M. Sanders, |
| James S. Chrisman, | Wm. J. McElroy, | C. H. Webb, |
| R. D. Cook, | M. E. McKenzie, | J. M. White, |
| J. E. Cosson, | Wm. Mynhier, | Jonas D. Wilson, |
| Joseph M. Davidson, | J. L. Nall, | S. H. Woolfolk—28. |
| James B. Fitzpatrick, | | |

The House took up the joint resolution heretofore offered by Mr. Cooper providing for a recess of the General Assembly.

Mr. Anderson moved to strike out the figure "4" therein, and insert in its stead the figure "9."

Mr. McElroy offered the following substitute for the resolution and amendment, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this Legislature adjourns on the 22d day of December, 1871, it will adjourn to meet on the 2d day of January, 1872.

The question was then taken on the substitute offered by Mr. McElroy, and it was decided in the negative.

Mr. Chrisman called for a division of the question.

The question was then put on striking out the figure "4," and it was decided in the affirmative.

The question was then put on inserting the figure "9" instead of figure "4," and it was decided in the affirmative.

The resolution, as amended, was then adopted, as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this Legislature adjourns on the 20th day of December, 1871, it will adjourn to meet on the 9th day of January, 1872.

Bills from the Senate, of the following titles, were reported, without amendment, by the committees to whom they had been referred, viz:

By Mr. Foote, from the Committee on County Courts—

An act to regulate the times of holding the Caldwell quarterly court.

By same—

An act to change the times of holding the Mercer county quarterly court.

By Mr. Trafton, from the same committee—

An act authorizing the recording of plats of Briensburg and Calvert City, in Marshall county.

*Ordered*, That said bills be read a third time,

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tucker, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to exempt homesteads from sale for debt."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed and placed in the orders of the day.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Bush, from the Committee on the Judiciary—

A bill to provide for recording deeds to burial lots in Green Lawn Cemetery, at Franklin.

By Mr. Coke, from the same committee—

A bill to amend sections 4 and 5, article 2, chapter 32, of the Revised Statutes.

By Mr. Sacksteder, from the same committee—

A bill to incorporate Massack Lodge, No. 137, I. O. O. F., in McCracken county.

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15, 1871.

By same—

A bill to amend the charter of the town of Winchester.

By same—

A bill for the benefit of Madisonville.

By same—

A bill to incorporate the Pendleton Building and Savings Association of Falmouth.

By Mr. J. A. Bell, from the Committee on Printing—

A bill to incorporate the Observer and Reporter Printing Company.

By Mr. Trafton, from the Committee on County Courts—

A bill to change the time of holding the April term of the Whitley quarterly court.

By Mr. Tucker, from the Committee on the Revised Statutes—

A bill to amend section 5, article 2, chapter 83, of the Revised Statutes.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Chrisman, leave was given to bring in a bill to amend the assessment laws of this Commonwealth.

*Ordered*, That a select committee, consisting of Messrs. Graves, Corbett, Griffith, Bates, Waide, Deaderick, Chrisman, Clay, and Bascom, prepare and bring in the same.

And then the House adjourned.

## THURSDAY, DECEMBER 14, 1871.

On motion of Mr. McClure, leave was given to bring in a bill to change the time of the meeting of the General Assembly of this Commonwealth.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the same.

A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to create an additional voting precinct in Shelby county.

An act to amend an act, entitled "An act to incorporate the town of Glasgow Junction," approved March 9, 1871.

That they had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Brooksville and Rock Spring Turnpike Road Company.

And that they had passed bills of the following titles, viz:

1. An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

2. An act to incorporate the Western German Savings Bank of Louisville.

3. An act to amend the charter of the town of Mayfield.

4. An act to amend the charter of the Kentucky and Great Eastern Railway Company.

5. An act to amend an act to amend an act, entitled "An act to provide for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other than Life Insurance Companies," approved March 12, 1871.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on the Revised Statutes; the 2d to the Committee on Banks; the 3d to the Committee on Corporate Institutions; the 4th to the Committee on Railroads; and the 5th to the Committee on Insurance.

The following petitions were presented, viz:

By Mr. Robertson—

1. The petition of citizens of Fleming county, praying certain relief in relation to the records of said county.

By Mr. Cardwell—

2. The petition of certain citizens of Lee county, praying to be attached to the county of Owsley.

By Mr. Todd—

3. The petition of Col. R. T. P. Allen in relation to the Kentucky Military Institute.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts; the 2d to the Committee on Circuit Courts; and the third was ordered to be printed, and referred to the Committee on Religion.

On motion of Mr. Todd,

*Ordered*, That the resolution heretofore offered by him in relation to certain appropriations to the Penitentiary, and adopted by this House, and the response of the Auditor thereto, be printed, and that the same be referred to a select committee of five, to be appointed by the Speaker.

And thereupon the Speaker appointed the following committee under said order, viz:

Messrs. Todd, Cooper, Coke, Woolfolk, and Arnold.

Mr. Blackburn, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. McCampbell then moved to postpone the consideration of said bill indefinitely.

And the question being taken thereon, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Blackburn, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the New Providence and Princeton Railroad Company, approved March 12, 1870.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Ogilvie moved to reconsider the vote by which this House postponed to a future day a bill from the Senate, entitled

An act to incorporate the Western Tobacco Bank and Warehouse Company.

Mr. Davidson moved to reconsider the vote by which this House passed a bill, entitled

A bill to amend section 4, article 1, chapter 99, of the Revised Statutes.

Said motion was placed in the orders of the day.

The Speaker laid before the House the Report of the Board of Managers of the Institution for Deaf-Mutes.

[*For Report—see Legislative Document No.* 4.]

On motion of Mr. Hoskins,

*Ordered*, That the Public Printer be directed to print one thousand copies thereof—the usual number for the use of this House and the remainder for the use of the Institution.

The Speaker laid before the House the Report of the Managers, Superintendent, and Treasurer of the Eastern Lunatic Asylum.

[*For Report—see Legislative Document No.* 6.]

On motion of Mr. Goodloe,

*Ordered*, That twelve hundred copies thereof be printed—two hundred for the use of this House and one thousand for the use of the Institution.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act discontinuing so much of the public road leading from Bardstown to Elizabethtown as lies within one mile of Bardstown;

An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

Mr. Blackburn, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth,

Without the expression of opinion thereon.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Coke moved to recommit the bill to the same committee.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Scales, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | R. L. Cooper, | Lewis Potter, |
| A. S. Arnold, | M. Woods Ferguson, | E. A. Robertson, |
| W. W. Baldwin, | James B. Fitzpatrick, | J. P. Sacksteder, |
| W. R. Bates, | Clinton Griffith, | J. R. Sanders, |
| W. N. Beckham, | George M. Jessee, | Samuel M. Sanders, |
| S. C. Bell, | E. Polk Johnson, | L. W. Trafton, |
| W. B. M. Brooks, | Thos. M. Johnson, | E. F. Waide, |
| John S. Carpenter, | Wm. J. McElroy, | F. A. Wilson, |
| George Carter, | J. C. Moorman, | S. H. Woolfolk, |
| J. Guthrie Coke, | J. L. Nall, | J. M. Wright—30. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Wm. Mynhier, |
| Wm. A. Allen, | Walter Evans, | Mat. Nunan, |
| A. C. Armstrong, | W. H. Evans, | John W. Ogilvie, |
| W. W. Ayers, | T. S. Fish, | Julian N. Phelps, |
| G. W. Bailey, | Manlius T. Flippin, | Hiram S. Powell, |
| R. Tarv. Baker, | C. D. Foote, | W. L. Reeves, |

| | | |
|---|---|---|
| Alpheus W. Bascom, | Joseph P. Foree, | John Rowan, |
| John A. Bell, | James Garnett, | C. C. Scales, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | Wm. Sellers, |
| Wm. F. Bond, | E. A. Graves, | James W. Snyder, |
| W. W. Bush, | C. P. Gray, | J. S. Taylor, |
| Thomas P. Cardwell, | J. P. Hampton, | C. W. Threlkeld, |
| Robert M. Carlisle, | Wm. A Hoskins, | Harry I. Todd, |
| James S. Chrisman, | T. J. Jones, | Joseph T. Tucker, |
| C. M. Clay, jr., | J. S. Lawson, | T. W. Varnon, |
| Josiah H. Combs, | G. W. Little, | T. J. Walker, |
| Wm. G. Conrad, | J. J. McAfee, | C. H. Webb, |
| R. D. Cook, | J. A. McCampbell, | J. M. White, |
| Thomas H. Corbett, | Bryan S. McClure, | Jonas D. Wilson, |
| J. E. Cosson, | M. E. McKenzie, | J. N. Woods—62. |
| Joseph M. Davidson, | W. A. Morin, | |

Mr. Bush then moved to postpone the consideration of said bill, and to make the same the special order of the day for to-morrow at half-past ten o'clock, A. M.

Mr. E. Polk Johnson moved to amend the motion of Mr. Bush by postponing the same till the 12th day of January next, and directing the bill to be printed.

Mr. Webb moved to strike out the figures "12" in the motion of Mr. E. Polk Johnson, and insert in lieu thereof the figures "24."

And the question being taken on the motion of Mr. Webb, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bush and Scales, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | M. Woods Ferguson, | John Rowan, |
| A. S. Arnold, | James B. Fitzpatrick, | J. P. Sacksteder, |
| W. W. Ayers, | Joseph P. Foree, | J. R. Sanders, |
| G. W. Bailey, | Clinton Griffith, | Samuel M. Sanders |
| W. W. Baldwin, | George M. Jessee, | J. S. Taylor, |
| W. R. Bates, | E. Polk Johnson, | L. W. Trafton, |
| W. N. Beckham, | Thos. M. Johnson, | E. F. Waide, |
| S. C. Bell, | W. J. McElroy, | C. H. Webb, |
| W. B. M. Brooks, | M. E. McKenzie, | F. A. Wilson, |
| John S. Carpenter, | J. C. Moorman, | S. H. Woolfolk, |
| J. Guthrie Coke, | J. L. Nall, | J. M. Wright—35. |
| R. L. Cooper, | Lewis Potter, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | W. A. Morin, |
| Wm. A. Allen, | W. W. Deaderick, | Wm. Mynhier, |
| A. C. Armstrong, | Walter Evans, | Mat. Nunan, |
| R. Tarv. Baker, | W. H. Evans, | John W. Ogilvie, |
| Alpheus W. Bascom, | T. S. Fish, | Julian N. Phelps, |

| | | |
|---|---|---|
| John A. Bell, | Manlius T. Flippin, | Hiram S. Powell, |
| J. C. S. Blackburn, | C. D. Foote, | W. L. Reeves, |
| Wm. F. Bond, | James Garnett, | E. A. Robertson, |
| W. W. Bush, | Wm. Cassius Goodloe, | C. C. Scales, |
| Thomas P. Cardwell, | E. A. Graves, | Wm. Sellers, |
| Robert M. Carlisle, | C. P. Gray, | James W. Snyder, |
| George Carter, | J. P. Hampton, | C. W. Threlkeld, |
| James S. Chrisman, | Wm. A. Hoskins, | Harry I. Todd, |
| C. M. Clay, jr., | T. J. Jones, | Joseph T. Tucker, |
| Josiah H. Combs, | J. S. Lawson, | T. W. Varnon, |
| Wm. G. Conrad, | G. W. Little, | T. J. Walker, |
| R. D. Cook, | J. J. McAfee, | J. M. White, |
| Thomas H. Corbett, | J. A. McCampbell, | Jonas D. Wilson, |
| J. E. Cosson, | Bryan S. McClure, | J. N. Woods—57. |

The question was then taken on the motion of Mr. E. Polk Johnson, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Coke and E. Polk Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | John Rowan, |
| Wm. A. Allen, | Joseph P. Foree, | J. P. Sacksteder, |
| George W. Anderson, | Clinton Griffith, | J. R. Sanders, |
| A. S. Arnold, | George M. Jesse, | Samuel M. Sanders, |
| W. W. Ayers, | E. Polk Johnson, | James W. Snyder, |
| G. W. Bailey, | T. M. Johnson, | J. S. Taylor, |
| W. W. Baldwin, | Wm. J. McElroy, | L. W. Trafton, |
| W. R. Bates, | M. E. McKenzie, | E. F. Waide, |
| W. N. Beckham, | J. C. Moorman, | J. L. Waring, |
| S. C. Bell, | Wm. Mynhier, | C. H. Webb, |
| W. B. M. Brooks, | J. L. Nall, | J. M. White, |
| John S. Carpenter, | Julian N. Phelps, | F. A. Wilson, |
| J. Guthrie Coke, | Lewis Potter, | S. H. Woolfolk, |
| R. L. Cooper, | W. L. Reeves, | J. M. Wright—14. |
| M. Woods Ferguson, | E. A. Robertson, | |

Those who voted in the negative were—

| | | |
|---|---|---|
| A. C. Armstrong, | Joseph M. Davidson, | J. J. McAfee, |
| R. Tarv. Baker, | W. W. Deaderick, | J. A. McCampbell, |
| Alpheus W. Bascom, | Walter Evans, | Bryan S. McClure, |
| John A. Bell, | W. H. Evans, | W. A. Morin, |
| J. C. S. Blackburn, | T. S Fish, | Mat. Nunan, |
| Wm. F. Bond, | Manlius T. Flippin, | John W. Ogilvie, |
| W. W. Bush, | C. D. Foote, | Hiram S. Powell, |
| Thomas P. Cardwell, | James Garnett, | C. C. Scales, |
| Robert M. Carlisle, | Wm. Cassius Goodloe, | Wm. Sellers, |
| George Carter, | E. A. Graves, | C. W. Threlkeld, |
| James S. Chrisman, | C. P. Gray, | Harry I. Todd, |
| C. M. Clay, jr., | J. P. Hampton, | Joseph T. Tucker, |
| Josiah H. Combs, | Wm. A. Hoskins, | T. W. Varnon, |

Wm. G. Conrad, T. J. Jones, T. J. Walker,
R. D. Cook, J. S. Lawson, Jonas D. Wilson,
Thomas H. Corbett, G. W. Little, J. N. Woods—49.
J. E. Cosson,

At twelve o'clock, M., Mr. Bush moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The hour of twelve o'clock, M., having arrived, the House proceeded to the orders of the day, and took up from the same a resolution from the Senate, entitled

Resolution in relation to the officers of the General Assembly.

On motion of Mr. Waide, said resolution was referred to the Committee on Ways and Means.

On motion of Mr. Chrisman, the House suspended the further consideration of the business in the orders of the day, and again took up the bill, entitled

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth.

On motion of Mr. Chrisman,

*Ordered*, That said bill be printed, and that its further consideration be postponed to, and made the special order of the day for, 9th January next, at eleven o'clock, A. M.

Mr. Graves, from the Committee on Ways and Means, to whom was referred a resolution heretofore offered by Mr. Carpenter in relation to disposition of State stock in certain railroad companies, reported the same with an amendment.

Which were adopted.

Said resolution, as amended, reads as follows, viz:

WHEREAS, In the recent competition between the Pennsylvania Central and Chesapeake and Ohio Railroad Companies for the control and purchase of the Louisville, Frankfort, and Lexington, and Louisville and Cincinnati Railroads, the president and directors of the Chesapeake and Ohio Railroad Company have bound themselves to take and pay for all the common stock in the above Kentucky Railroads at the rate of sixty-five cents on the dollar, payable in six, nine, and twelve months, with interest, if accepted on or before the 27th inst., it being over eighty per cent on previous quotations for said stock. In order to secure the sale of the stocks at above rates, it is necessary that immediate action be taken on this subject; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund be, and are hereby,

authorized and required to sell, before the 27th inst., to the Chesapeake and Ohio Railroad Company, the State interest in the common stock of the Louisville, Frankfort, and Lexington, and Louisville and Cincinnati Railroads, at sixty-five cents on the dollar, on six, nine, and twelve months' credit, with interest: *Provided*, That the two hundred and sixty shares of the preferred stock in said road shall not be sold for less than par or its actual market value.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hoskins and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Josiah H. Combs, | Julian N. Phelps, |
| Wm. A. Allen, | William G. Conrad, | Lewis Potter, |
| George W. Anderson, | R. L. Cooper, | W. L. Reeves, |
| A. C. Armstrong, | Thomas H. Corbett, | E. A. Robertson, |
| A. S. Arnold, | J. E. Cosson, | John Rowan, |
| W. W. Ayers, | Joseph M. Davidson, | J. P. Sacksteder, |
| G. W. Bailey, | M. Woods Ferguson, | J. R. Sanders, |
| W. W. Baldwin, | T. S. Fish, | Samuel M. Sanders, |
| W. R. Bates, | James B. Fitzpatrick, | James W. Snyder, |
| W. N. Beckham, | C. D. Foote, | C. W. Threlkeld, |
| S. C. Bell, | E. A. Graves, | Harry I. Todd, |
| Wm. F. Bond, | Wm. A. Hoskins, | L. W. Trafton, |
| W. B. M. Brooks, | E. Polk Johnson, | Joseph T. Tucker, |
| W. W. Bush, | T. J. Jones, | T. W. Varnon, |
| Thomas P. Cardwell, | J. S. Lawson, | J. L. Waring, |
| Robert M. Carlisle, | William J. McElroy, | C. H. Webb, |
| John S. Carpenter, | M. E. McKenzie, | J. M. White, |
| George Carter, | J. C. Moorman, | F. A. Wilson, |
| C. M. Clay, jr., | J. L. Nall, | S. H. Woolfolk, |
| J. Guthrie Coke, | John W. Ogilvie, | J. M. Wright—59. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | James Garnett, | W. A. Morin, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | Wm. Mynhier, |
| John A. Bell, | C. P. Gray, | Hiram S. Powell, |
| J. C. S. Blackburn, | T. M. Johnson, | William Sellers, |
| R. D. Cook, | G. W. Little, | J. S. Taylor, |
| W. H. Evans, | J. J. McAfee, | E. F. Waide, |
| Manlius T. Flippin, | J. A. McCampbell, | T. J. Walker, |
| Joseph P. Foree, | Bryan S. McClure, | Jonas D. Wilson—24. |

Mr. Cooper, from the select committee appointed to revise the rules of this House, made the following report, viz:

The committee appointed to revise the rules of this House would respectfully submit the following report:

1st. That rule No. 4 be so amended as to read—

Twenty-nine standing committees shall be appointed by the Speaker, viz:

In addition to the twenty-four already named in the printed rules, the following:

25. A Committee on Railroads—to consist of eight members.

26. A Committee on Immigration and Labor.

27. A Committee on Insurance.

28. A Committee on Corporate Institutions.

29. A Committee on Charitable Institutions—to consist of seven members each.

2d. That rule 61 shall be so altered as to read—

The standing order of adjournment shall be to 10 o'clock.

3d. That the following additional rules be adopted, and known as respectively numbered, viz:

64. The call of the counties for leaves and motions shall be made on each Wednesday and Saturday.

65. It shall not be in order to entertain any bill for the incorporation of any company, or in relation to any local or private matter, in cases where the same is now, or shall hereafter be, authorized or provided for by general laws.

66. On all questions not herein provided for, this House shall be governed by parliamentary usage.

4th. That the 8th rule be repealed, and the following be substituted therefor:

The Speaker may vote at his discretion, except in cases where there is a tie, when he shall be required to give the casting vote; but his name shall be placed on, and called last, on the roll.

ROBT. L. COOPER, *Chairman.*

Mr. Chrisman moved to amend one of the rules as reported by the committee.

Which amendment was adopted.

Said report and rules, as amended, were then adopted.

*Ordered*, That said rules, with a list of the Standing Committees of this House, be printed for the use of this House.

And then the House adjourned.

## FRIDAY, DECEMBER 15, 1871.

The following petitions were presented, viz:

By Mr. Deaderick—

1. The petition of citizens of Demossville, Pendleton county, protesting against the repeal of a certain law restraining the sale of spirituous liquors in said town.

By Mr. McKenzie—

2. The petition of sundry citizens of Trigg county, praying the passage of an act preventing the destruction of fish in Cumberland river within the limits of Trigg county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion, and the 2d to the Committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had concurred in the adoption of resolutions, which originated in House of Representatives, of the following titles, viz:

Resolution providing for a recess of the General Assembly;

Resolution in relation to the election of State officers;

With an amendment to the last named resolution.

That they had concurred in the amendment proposed by the House of Representatives, to a resolution adopted by the Senate, entitled

Resolution in relation to Congressional apportionment.

That they had adopted a joint resolution, entitled

Resolution in relation to a revision of the revenue laws.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of J. F. Dempsey, of Hopkins county.

An act to amend the charter of the New Providence and Princeton Railroad Company, approved March 12, 1870.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the town of Hawesville.

2. An act for the benefit of the county of Nelson.

3. An act to amend article 2, chapter 17, of the Revised Statutes.

4. An act to better define the duties of overseers of public highways in Cumberland county.

5. An act to amend an act to protect small birds and game in the counties of Daviess and Lyon.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Corporate Institutions; the 2d and 4th to the Committee on County Courts; the 3d to the Committee on the Revised Statutes; and the 5th to the Committee on Propositions and Grievances.

Mr. E. Polk Johnson offered the following resolution, viz:

WHEREAS, The Female High School, of Louisville, will be in this city on Saturday, December 16th; therefore,

*Resolved*, That the courtesies of this House be extended to them during their stay.

Which was adopted.

Mr. Hoskins offered the following resolution, viz:

*Resolved*, That Colonel E. A. James, of Chattanooga, Tennessee, be invited to the privileges of this Hall

Which was adopted.

Bills from the Senate, of the following titles, were reported by the several committees to whom they had been referred, viz:

By Mr. E. Polk Johnson, from the Committee on Codes of Practice—

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4, 1865;

By Mr. Sacksteder, from the same committee—

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4, 1865;

With the expression of opinion that they ought not to pass.

And the question being severally put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bills were disagreed to.

Mr. Graves, from the Committee on Ways and Means, to whom the same was referred, reported a resolution from the Senate, without amendment, entitled

Resolution in relation to the officers of the General Assembly.

Mr. Foote offered an amendment thereto.

Which was adopted.

Mr. McElroy offered an amendment.

Which was rejected.

Said resolution, as amended, was then concurred in.

On motion, leave of absence, indefinitely, was granted to Messrs. Blakey, Rowlett, Foote, and Sellers.

Mr. Varnon, from the Committee on Codes of Practice, who were directed to prepare and bring in the same, reported

A bill to further amend section 26 of the Civil Code of Practice.

Which was read the first time.

And the question being put, "Shall the bill be read a second time?" it was decided in the negative.

And so said bill was rejected.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Jessee, from a select committee—

A bill for the benefit of Marion Baker, of Webster county.

By Mr. Foote, from a select committee—

A bill to revise and codify the charter of the city of Covington.

By Mr. Foote, from the Committee on County Courts—

A bill to amend an act, entitled "An act for the benefit of Lincoln county," approved March 8, 1871.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill to repeal part of an act, entitled "An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county," approved February 24, 1871.

By Mr. Bush, from the Committee on the Judiciary—

A bill to amend an act for the benefit of the police judge of the town of Hawesville, Hancock county, approved February 10, 1871.

By Mr. Walter Evans, from the same committee—

A bill to amend the charter of the city of Hopkinsville.

By Mr. Ayers, from the Committee on Religion—

A bill to amend an act for the benefit of the citizens of the town of Williamsburg, in Whitley county.

By Mr. Graves, from the Committee on Ways and Means.

A bill for the benefit of James W. Lindon, late sheriff of Breathitt county.

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to amend an act incorporating the Public Library of Kentucky.

By Mr. Ogilvie, from the Committee on Internal Improvement—

A bill to reduce the salary of the gate-keeper on the Wilderness Turnpike Road, in Knox and Josh Bell counties.

By same—

A bill to amend an act, entitled "An act exempting salt wagons from paying toll on the Wilderness Turnpike road, in Knox and Josh Bell counties."

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Davidson, from the Committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled

An act to authorize the county court of Meade county to raise money for the erection of public buildings in Meade county.

Reported the same with a substitute therefor by way of amendment.

Said amendment was then adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be so amended as to read,

An act to provide for the removal and re-location of the county seat of Meade county.

Mr. Bush, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of James Rhey Boyd, empowering him to obtain license to practice law as if of full age,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bush, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill for the benefit of W. H. Hughlett, jailer of Simpson county.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That W. H. Hughlett, jailer of Simpson county, be, and he is hereby, allowed the sum of two hundred and thirty-one dollars for keeping and dieting a pauper lunatic from the 24th day of November, 1870, until the 2d day of October, 1871; and the Auditor for the State is directed to draw his warrant on the Treasurer in favor of said Hughlett for said sum.

§ 2. This act to take effect from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Mat. Nunan, |
| Wm. A. Allen, | W. W. Deaderick, | John W. Ogilvie, |
| George W. Anderson, | Walter Evans, | Julian N. Phelps, |
| A. C. Armstrong, | W. H. Evans, | Lewis Potter, |
| W. W. Ayers, | T. S. Fish, | Hiram S. Powell, |
| G. W. Bailey, | James B. Fitzpatrick, | W. L. Reeves, |
| R. Tarv. Baker, | Manlius T. Flippin, | E. A. Robertson, |
| W. W. Baldwin, | C. D. Foote, | John Rowan, |
| Alpheus W. Bascom, | Joseph P. Foree, | J. P. Sacksteder, |
| W. R. Bates, | Wm. Cassius Goodloe, | J. R. Sanders, |
| W. N. Beckham, | E. A. Graves, | Samuel M. Sanders, |
| John A. Bell, | C. P. Gray, | C. C. Scales, |
| S. C. Bell, | Clinton Griffith, | William Sellers, |
| J. C. S. Blackburn, | J. P. Hampton, | James W. Snyder, |
| Wm. F. Bond, | Wm. A. Hoskins, | J. S. Taylor, |
| W. B. M Brooks, | George M. Jessee, | C. W. Threlkeld, |
| W. W. Bush, | E. Polk Johnson, | Harry I. Todd, |
| Thomas P. Cardwell, | T. M. Johnson, | L. W. Trafton, |
| Robert M. Carlisle, | T. J. Jones, | Joseph T. Tucker, |

| | | |
|---|---|---|
| John S. Carpenter, | J. S. Lawson, | T. W. Varnon, |
| George Carter, | G. W. Little, | E. F. Waide, |
| B. E. Casselly, | J. J. McAfee, | T. J. Walker, |
| James S. Chrisman, | J. A. McCampbell, | J. L. Waring, |
| C. M. Clay, jr., | Bryan S. McClure, | J. M. White, |
| J. Guthrie Coke, | William J. McElroy, | F. A. Wilson, |
| Josiah H. Combs, | M. E. McKenzie, | Jonas D. Wilson, |
| William G. Conrad, | J. C. Moorman, | J. N. Woods, |
| R. D. Cook, | W. A. Morin, | S. H. Woolfolk, |
| R. L. Cooper, | Wm. Mynhier, | J. M. Wright—89. |
| J. E. Cosson, | J. L. Nall, | |

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Graves, from the Committee on Ways and Means, to whom the same was referred, reported a bill from the Senate, without amendment, entitled

An act to amend an act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16, 1869.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House took up a resolution from the Senate, entitled

Resolution in relation to the sale of the stock in turnpike roads.

Said resolution, being twice read, was concurred in.

Mr. Garnett offered the following resolution, viz:

WHEREAS, The State of Kentucky is the owner of 7,789 shares, of $100 each, of the capital stock of the Bank of Kentucky; and whereas, the stock in said bank is valued in the market at one hundred cents, or par value; and whereas, it is represented that the actual intrinsic value of said stock is one hundred and twenty-one cents, or twenty-one cents above par; and that said bank has a large surplus, viz: $502,051 50, which should now be divided among the stockholders; that if a fair division of said surplus was now made, the State would receive, and is entitled to, a large sum, viz: about $150,000; therefore,

*Resolved*, That the Commissioners of the Sinking Fund be requested to report to this General Assembly at once, or as soon as they can do so, what is the market value of stock of the State in said bank; what is the actual intrinsic value thereof; what is the amount of the surplus fund of said bank, together with the evidences on which they base their statement.

Said resolution being taken up,

Mr. Graves moved to refer the same to the Committee on the Sinking Fund, and to print the same.

And the question being taken thereon, it was decided in the negative.

Said resolution, being twice read, was then adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Phelps—

1. A bill to increase the county levy in Butler county.

On motion of same—

2. A bill to prevent deer-driving in the counties of Grayson, Butler, and Edmonson.

On motion of same—

3. A bill to levy a tax on the voters of Butler county to keep up the public roads.

On motion of same—

4. A bill to amend the road law in Butler county.

On motion of Mr. McAfee—

5. A bill for the benefit of W. F. Robards, of Mercer county.

On motion of Mr. Davidson—

6. A bill for the benefit of W. F. Lyle, of Marion county.

On motion of same—

7. A bill to amend the charter of the town of New Market.

On motion of same—

8. A bill to continue in force an act for the benefit of A. W. Nickell, of Johnson county.

*Ordered*, That the Committee on Ways and Means prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d and 8th; the Committee on Internal Improvement the 3d and 4th; the Committee on Claims the 5th; a select committee, consisting of Messrs. Graves, Garnett, and Flippin, the 6th; and a select committee, consisting of Messrs. Graves, Davidson, and Todd, the 7th.

And then the House adjourned.

## SATURDAY, DECEMBER 16, 1871.

Mr. Cooper moved to reconsider the vote by which this House adopted the report of the Committee on the Revision of the Rules of this House.

And the question being taken thereon, it was decided in the affirmative.

Mr. Cooper then moved to strike out from said report the last rule therein prescribed.

And the question being taken thereon, it was decided in the affirmative.

The said report, and the rules therein prescribed, were then adopted.

*Ordered*, That the Public Printer forthwith print the said rules, together with a list of the Standing Committees, for the use of this House.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House of Representatives, to a resolution which originated in the Senate, entitled

Resolution in relation to the officers of the General Assembly.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

An act to repeal an act, entitled "An act to protect the public highways in Clark and Montgomery counties."

An act to fix the time of holding the Montgomery circuit court.

An act to change the time of holding the April term of the Whitley circuit court.

An act to amend an act, entitled "An act for the benefit of Lincoln county."

An act to prevent the sale of spirituous or malt liquors in the town of Elkton, or within the limits of one mile of the corporate limits thereof.

An act to protect fish in Drake's creek, in Simpson county.

With amendments to the last two named bills.

And that they had passed a bill, entitled

An act to legalize certain orders and proceedings of the Larue county court.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on County Courts.

Mr. Carpenter offered the following resolution, viz:

*Resolved*, That a committee of five members of this House be appointed to meet, this morning, at the depot, the eminent professors and the young pupils of the Female High School, of Louisville, and escort them to the Hall of the House of Representatives, and introduce them to the members of this House.

Which was adopted.

And thereupon the Speaker appointed the following committee, viz:

Messrs. Waide, Carpenter, Blackburn, Beckham, and E. Polk Johnson.

The House then took up a resolution from the Senate, entitled

Resolution in relation to the revision of the revenue laws.

Said resolution, being twice read, was concurred in.

Mr. Chrisman offered the following resolution, viz:

*Resolved*, That the resolution from the Senate in relation to the revision of the revenue laws be concurred in; and that the Senate be advised of the fact that the House has heretofore acted upon the subject; and that a committee has already been appointed in pursuance of the provisions of said Senate resolution; and that they have appointed, on the part of the House, Messrs. Graves, Corbett, Griffith, Bates, Waide, Deaderick, Clay, Chrisman, and Bascom, to act in conjunction with the committee of the Senate.

The rules being suspended, said resolution was taken up, twice read, and adopted.

Mr. Scales offered the following resolution, viz:

*Resolved*, That on Monday, the 18th inst., when the House assembles, the members shall proceed to draw lots for seats.

Mr. Flippin moved to amend said resolution by striking out the figures "18," and inserting in lieu thereof the figure "9."

On motion of Mr. Rowlett, said resolution and proposed amendment were laid on the table.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act authorizing the recording of plats of Briensburg and Calvert City, in Marshall county;

An act to change the times of holding the Mercer county quarterly court;

An act to regulate the times of holding the Caldwell quarterly court;

Resolution in relation to Congressional apportionment;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the Brooksville and Rock Spring Turnpike Road Company;

An act for the benefit of J. F. Dempsey, of Hopkins county;

An act to amend the charter of the New Providence and Princeton Railroad Company, approved March 12, 1870;

Resolution providing for a recess of the General Assembly;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. Hoskins, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Kentucky and Great Eastern Railway Company,

Reported the same without amendment.

Mr. Waring offered amendments to said bill.

*Ordered*, That said bill and amendments be printed, and that the further consideration thereof be postponed to, and made the special order of the day for, 12th January next, at 11 o'clock, A. M.

Mr. Trafton, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill for the benefit of Bailum Hicks, of Webster county,

Without the expression of opinion thereon.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be committed to the Committee on the Judiciary.

Mr. Garnett, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That the further consideration thereof be postponed to, and made the special order of the day for, 15th January next, and that the same be printed.

Mr. Tucker, from the Committee on the Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate,"

Reported the same without amendment, and with the expression of opinion that the same ought to be disagreed to.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill for the benefit of B. K. Bethurum, late sheriff of Rockcastle county, and his sureties.

Said bill was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That B. K. Bethurum, late sheriff of Rockcastle county, and his sureties, be, and they are hereby, relieved from the payment of the sum of one hundred and fifty-three dollars and seventy-six cents, being the damages adjudged against them at the June term, 1871, of the Franklin circuit court, for balance due on the revenue due from Rockcastle county for the year 1867.

§ 2. This act to take effect from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | Mat. Nunan, |
| Wm. A. Allen, | W. H. Evans, | John W. Ogilvie, |
| George W. Anderson, | M. Woods Ferguson, | Julian N. Phelps, |
| A. C. Armstrong, | T. S. Fish, | Lewis Potter, |
| A. S. Arnold, | James B. Fitzpatrick, | Hiram S. Powell, |
| W. W. Ayers, | Manlius T. Flippin, | W. L. Reeves, |
| G. W. Bailey, | James Garnett, | E. A. Robertson, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | John Rowan, |
| W. W. Baldwin, | E. A. Graves, | John P. Rowlett, |
| Alpheus W. Bascom, | C. P. Gray, | J. R. Sanders, |
| W. R. Bates, | Clinton Griffith, | C. C. Scales, |
| W. N. Beckham, | J. P. Hampton, | James W. Snyder, |
| John A. Bell, | Wm. A. Hoskins, | J. S. Taylor, |
| J. C. S. Blackburn, | George M. Jessee, | C. W. Threlkeld, |
| W. B. M Brooks, | T. M. Johnson, | Harry I. Todd, |
| W. W. Bush, | T. J. Jones, | L. W. Trafton, |
| John S. Carpenter, | J. S. Lawson, | Joseph T. Tucker, |
| George Carter, | G. W. Little, | T. W. Varnon, |
| B. E. Casselly, | J. J. McAfee, | E. F. Waide, |
| James S. Chrisman, | J. A. McCampbell, | T. J. Walker, |
| C. M Clay, jr., | Bryan S. McClure, | J. L. Waring, |
| Josiah H. Combs, | Wm. J. McElroy, | C. H. Webb, |
| Wm. G. Conrad, | M. E. McKenzie, | J. M. White, |
| R. D. Cook, | T. J. Megibben, | F. A. Wilson, |
| R. L. Cooper, | J. C. Moorman, | Jonas D. Wilson, |
| Thomas H. Corbett, | W. A. Morin, | J. N. Woods, |
| J. E. Cosson, | Wm. Mynhier, | S. H. Woolfolk—83. |
| Joseph M. Davidson, | J. L. Nall, | |

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

On motion of Mr. Griffith,

*Ordered*, That a message be sent to the Senate, requesting to withdraw therefrom the announcement of the disagreement of this House to bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4, 1865;

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4, 1865;

Mr. Chrisman, from the select committee who were directed to prepare and bring in the same, reported

A bill to repeal the several acts, entitled "An act to regulate the sale and inspection of tobacco in the city of Louisville."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed, and that the further consideration thereof be postponed to, and made the special order of the day for, 21st January next.

Bills from the Senate, of the following titles, were reported, without amendment, by the committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—

An act to incorporate the Lewisburg and Taylor's Mill Turnpike Road Company, in Mason county.

By Mr. Blackburn, from the Committee on Railroads—

An act to amend an act, entitled "An act to organize the South Kentucky Railroad Company," approved March 15, 1871.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Corbett, from a select committee—

A bill to repeal an act, entitled "An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the 1st judicial district, approved February 22, 1871, so far as it applies to Hickman county, and to re-enact an act, approved February 5, 1867, creating the court of common pleas in the 1st, 3d, and 14th judicial districts, so far as it relates to Hickman county, in the 1st judicial district."

By Mr. Garnett, from a select committee—

A bill for the benefit of W. J. Lisle, administrator of Thomas W. Lisle.

By same—

A bill to amend an act, entitled "An act to incorporate the town of New Market, in Marion county," approved March 21, 1871.

By Mr. Trafton, from the Committee on County Courts—

A bill for the benefit of Floyd county.

By same—

A bill for the benefit of Mrs. Rebecca C. Hill, of Barlow City, in Ballard county.

By same—

A bill to increase the county levy of McLean county.

By same—

A bill in relation to taxes for road purposes in Henderson county.

By same—

A bill for the benefit of Hopkins county.

By Mr. Tucker, from the Committee on the Revised Statutes—

A bill to prevent the destruction of fish in the stream of Bank Lick, in Kenton county.

By same—

A bill to prevent the destruction of fish in the Kentucky river and its tributaries.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill for the benefit of Wm. McMurtry, of Monroe county.

By same—

A bill to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3, 1871.

By Mr. Tucker, from a select committee—

A bill for the benefit of the town of Glasgow.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

At 12 o'clock, M., Mr. Waide, from the committee appointed for that purpose, introduced into this Hall, and to the Speaker, the officers, teachers, and pupils of the High School of Louisville, who

were received by the House and welcomed by the Speaker; and, remaining for a time to witness the proceedings thereof, retired.

Mr. Ayers, from the Committee on Religion, who were directed to prepare and bring in the same, reported

A bill to repeal an act to prohibit the sale of spirituous, malt, or vinous liquors in Campbellsville.

Said bill was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Campbellsville, Kentucky," approved March 21, 1871, be, and the same is hereby, repealed.

§ 2. This act shall be in force from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McAfee and Carpenter, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | T. J. Megibben, |
| Wm. A. Allen, | J. E. Cosson, | J. C. Moorman, |
| George W. Anderson, | Joseph M. Davidson, | Wm. Mynhier, |
| A. C. Armstrong, | W. W. Deaderick, | J. L. Nall, |
| A. S. Arnold, | W. H. Evans, | Mat. Nunan, |
| W. W. Ayers, | M. Woods Ferguson, | John W. Ogilvie, |
| G. W. Bailey, | T. S. Fish, | Lewis Potter, |
| R. Tarv. Baker, | James B. Fitzpatrick, | Hiram S. Powell, |
| W. W. Baldwin, | Manlius T. Flippin, | W. L. Reeves, |
| Alpheus W. Bascom, | James Garnett, | John Rowan, |
| W. R. Bates, | Wm. Cassius Goodloe, | J. R. Sanders, |
| W. N. Beckham, | E. A. Graves, | C. C. Scales, |
| John A. Bell, | C. P. Gray, | James W. Snyder, |
| S. C. Bell, | Clinton Griffith, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. P. Hampton, | Harry I. Todd, |
| Thomas P. Cardwell, | Wm. A Hoskins, | Joseph T. Tucker, |
| Robert M. Carlisle, | E. Polk Johnson, | E. F. Waide, |
| George Carter, | Thos. M. Johnson, | T. J. Walker, |
| B. E. Cassely, | T. J. Jones, | J. L. Waring, |
| James S. Chrisman, | J. S. Lawson, | C. H. Webb, |
| C. M. Clay, jr., | Bryan S. McClure, | J. M. White, |

Josiah H. Combs, M. E. McKenzie, S. H. Woolfolk—67.
Wm. G. Conrad,

Those who voted in the negative, were—

John S. Carpenter, J. A. McCampbell, J. S. Taylor,
R. L. Cooper, Wm. J. McElroy, L. W. Trafton,
John W. Dyer, Julian N. Phelps, T. W. Varnon,
George M. Jessee, John P. Rowlett, J. N. Woods—13.
J. J. McAfee,

*Resolved*, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Corbett—

1. A bill to repeal the 2d section of an act, entitled "An act to amend an act, entitled 'An act to regulate the retailing of ardent spirits,'" approved December 13, 1851.

On motion of Mr. Bates—

2. A bill in relation to the town of Glasgow.

On motion of Mr. Bascom—

3. A bill to incorporate the Owingsville Cemetery Company.

On motion of Mr. Clay—

4. A bill to amend an act for the protection of livery stable-keepers in this Commonwealth, approved January 31, 1871.

On motion of Mr. Hoskins—

5. A bill to amend the charter of Shelby City, in the county of Boyle.

On motion of Mr. Cardwell—

6. A bill submitting to the voters of Breathitt county whether they will sell whisky or other malt liquors.

On motion of Mr. J. D. Wilson—

7. A bill in relation to trustees of common schools in this Commonwealth.

On motion of Mr. Powell—

8. A bill to clear out obstruction to navigation in Rockcastle river.

On motion of Mr. Davidson—

9. A bill for the benefit of Benj. Stumbough, of Johnson county.

On motion of Mr. Rowlett—

10. A bill to amend section 6, chapter 96, Revised Statutes.

On motion of Mr. Trafton—

11. A bill to amend section 2, article 13, chapter 36, of the Revised Statutes.

On motion of same—

12. A bill to amend chapter 24 of the Revised Statutes.

On motion of same—

13. A bill in relation to taxes for road purposes in Henderson county.

On motion of same—

14. A bill to incorporate Corydon Lodge, No. 447, Free and Accepted Masons, at Corydon, Kentucky.

On motion of Mr. Woolfolk—

15. A bill to authorize the trustees of school district No. —, in Hopkins county, to levy and collect a tax for the purpose of erecting common school buildings in said district.

On motion of Mr. Cook—

16. A bill for the benefit of George W. Roberts and others, of Rockcastle county.

On motion of Mr. Fitzpatrick—

17. A bill for the benefit of George W. Brown, of Letcher county.

On motion of Mr. Varnon—

18. A bill to require railroad companies in this Commonwealth to build fences along the line of their roads.

On motion of same—

19. A bill to authorize the county court of Lincoln county to erect a work-house in Stanford.

On motion of Mr. Webb—

20. A bill to pay for wolf scalps taken in the county of Livingston.

On motion of Mr. Graves—

21. A bill to amend the mechanics' lien law.

On motion of Mr. Baldwin—

22. A bill to increase the salary of the Insurance Commissioner.

On motion of Mr. Ogilvie—

23. A bill for the benefit of the common schools of Paducah.

On motion of same—

24. A bill for the benefit of the city of Paducah.

On motion of Mr. Allen—

25. A bill for the benefit of St. Teresa's Catholic Church, in Meade county.

On motion of Mr. Threlkeld—

26. A bill to incorporate the Atlantic and Ohio River Railway Company.

On motion of Mr. Cosson—

27. A bill to prohibit the sale of spirituous liquors on election days in Kentucky.

On motion of Mr. Dyer—

28. A bill for the benefit of the Union county court.

On motion of same—

29. A bill for the benefit of the present and late sheriff of Union county, Kentucky.

On motion of same—

30. A bill to incorporate the Industrial Association of Union county.

On motion of Mr. Little—

31. A bill to prohibit the adulteration of moonshine whisky manufactured in this Commonwealth.

On motion of Mr. Bush—

32. A bill to give clerks of counties compensation for services rendered the Commonwealth.

On motion of Mr. Jones—

33. A bill to change the time of the meeting of the General Assembly.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st, 10th, 11th, 12th, 21st, and 32d; the Committee on Corporate Institutions the 3d and 30th; the Committee on Agriculture and Manufactures the 4th; the Committee on County Courts the 5th, 13th, 19th, 28th, 29th, and 33d; the Committee on Religion the 6th, 25th, and 27th; the Committee on Education the 7th, 15th, and 22d; the Committee on Internal Improvement the 8th, 16th, and 31st; the Committee on Propositions and Grievances the 9th, 17th, and 20th; the Committee on Railroads the 18th and 26th; the Committee on Insurance the 22d; the Committee on the Judiciary the 24th; and a select committee, consisting of Messrs. Tucker, Graves, and Morin, the 2d.

And then the House adjourned.

## MONDAY, DECEMBER 18, 1871.

The following petitions were presented, viz:

By Mr. Bascom—

1. The petition of the officers of the county court of Menifee county, praying to be allowed to issue bonds of said county for the purpose of raising funds with which to erect public buildings.

By Mr. Waring—

2. The petition of James M. Eifort, praying compensation for conveying a lunatic to the Eastern Lunatic Asylum.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts, and the 2d to the Committee on Claims.

On motion of Mr. Waring, leave was given to bring in a bill for the benefit of James M. Eifort, of Greenup county.

*Ordered*, That the Committee on Claims prepare and bring in the same.

In obedience to the request of this House on the 16th instant, bills from the Senate, which were disagreed to by this House, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4, 1865;

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4, 1865;

Were returned to this House and laid upon the Clerk's table.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to incorporate Massack Lodge, No. 137, I. O. O. F.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Richard W. Neeley.

An act for the benefit of John E. Walton, of Kenton county.

An act to repeal an act, entitled "An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the 1st judicial district," approved February 22d, 1871, so far as it applies to Hickman county, and to re-enact an act, ap-

proved February 5th, 1867, creating the court of common pleas in the first, third, and fourteenth judicial districts, so far as it relates to Hickman county in the first judicial district.

And that they had passed bills of the following titles, viz:

1. A act for the benefit of the Deaf and Dumb Asylum at Danville.

2. An act to incorporate the Exchange Bank and Tobacco Warehouse Company.

3. An act for the benefit of J. E. Cossen, H. G. Trimble, and E. D. Porch, of the county of Pulaski.

4. An act for the benefit of the estate of Thos. H. Crawford.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Charitable institutions; the 2d to the Committee on Banks; the 3d to the Committee on Ways and Means; and the 4th to the Committee on the Judiciary.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to provide for the removal and re-location of the county seat of Meade county;

An act for the benefit of James Rhey Boyd, empowering him to obtain license to practice law as if of full age;

An act to amend an act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16, 1871;

Resolution in relation to the officers of the General Assembly;

Resolution in relation to the sale of the stock in turnpike roads;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to protect the public highways in Clark and Montgomery counties;"

An act to fix the time of holding the Montgomery circuit court;

An act to change the time of holding the April term of the Whitley quarterly court;

An act to amend an act, entitled "An act for the benefit of Lincoln county," approved March 8, 1871;

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

The Speaker laid before the House the Report of the Commissioners of the Feeble-Minded Institute.

On motion of Mr. Todd, the Public Printer was directed to print one thousand copies thereof for the use of this House and the Superintendent of said Institution.

[*For Report—see Legislative Document No.* 7.]

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Geo. R. Lewis, jr.

An act for the benefit of Wm. R Patterson, of Bath county.

An act to amend the charter of the New Providence and Princeton Railroad Company, approved March 12, 1870.

An act to amend the charter of the Brooksville and Rock Spring Turnpike Road Company.

An act for the benefit of J. F. Dempsey, of Hopkins county.

Resolution relating to election of United States Senator.

Resolution providing for a recess of the General Assembly.

Mr. F. A. Wilson, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act to better define the duties of overseers of public highways in Cumberland county,

Reported the same without amendment.

Mr. Gray offered an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Foote, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act for the benefit of the county of Nelson,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, It appears to the satisfaction of this General Assembly that the clerks of the county court for the county of Nelson collected money for the sale of vacant lands in said county in the years 1868, 1870, and 1871, amounting to the sum of three hundred and fifty-three dollars and eighty-seven cents, and through mistake paid said sum into the Treasury of this State, instead of the treasury for said county; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts of this State is hereby directed to draw his warrant on the Treasury in favor of the county of Nelson for the sum of three hundred and fifty-three dollars and eighty-seven cents, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Mat. Nunan, |
| Wm. A. Allen, | W. W. Dealerick, | John W. Ogilvie, |
| A. C. Armstrong, | John W. Dyer, | Julian N. Phelps, |
| A. S. Arnold, | Walter Evans, | Lewis Potter, |
| W. W. Ayers, | W. H. Evans, | Hiram S. Powell, |
| G. W. Bailey, | M Woods Ferguson, | W. L. Reeves, |
| R. Tarv. Baker, | T. S. Fish, | E. A. Robertson, |
| W. W. Baldwin, | James B. Fitzpatrick, | John Rowan, |
| Alpheus W. Bascom, | C. D. Foote, | John P. Rowlett, |
| W. R. Bates, | Joseph P. Foree, | J. P. Sacksteder, |
| W. N. Beckham, | James Garnett, | J. R. Sanders, |
| John A. Bell, | Wm. Cassius Goodloe, | C. C. Scales, |
| S. C. Bell, | E. A. Graves, | James W. Snyder, |
| J. C. S. Blackburn, | C. P. Gray, | J. S. Taylor, |
| Wm. F. Bond, | J. P. Hampton, | C. W. Threlkeld, |
| W. W. Bush, | Wm. A. Hoskins, | Harry I. Todd, |
| Thomas P. Cardwell, | George M. Jessee, | L. W. Trafton, |
| Robert M. Carlisle, | E. Polk Johnson, | Joseph T. Tucker, |
| John S. Carpenter, | T. M. Johnson, | T. W. Varnon, |
| B. E. Casselly, | T. J. Jones, | E. F. Waide, |
| James S. Chrisman, | J. S. Lawson, | T. J. Walker, |
| C. M. Clay, jr., | G. W. Little, | J. L. Waring, |
| J. Guthrie Coke, | Bryan S. McClure, | C. H. Webb, |
| Josiah H. Combs, | M. E. McKenzie, | J. M. White, |
| Wm. G. Conrad, | T. J. Megibben, | F. A. Wilson, |

| | | |
|---|---|---|
| R. D. Cook, | J. C. Moorman, | Jonas D. Wilson, |
| R. L. Cooper, | W. A. Morin, | J. N. Woods, |
| Thomas H. Corbett, | Wm. Mynhier, | S. H. Woolfolk, |
| J. E. Cosson, | J. L. Nall, | J. M. Wright—87. |

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

According to order, the House took up for further consideration a bill, entitled

A bill to amend existing laws relating to testimony.

Mr. Waring offered a substitute for said bill by way of amendment

*Ordered*, That said bill and amendment be printed, and that the same be made the special order of the day for 16th January, at eleven o'clock, A. M.

The House then took up the amendment proposed by the Senate, to a bill which originated in the House of Representatives, entitled

An act to prevent the sale of spirituous or malt liquors in the town of Elkton, or within the limits of one mile of the corporate limits thereof.

Said amendment was concurred in, and the title thereof so changed as to read,

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Elkton, Todd county, or within one mile of the corporate limits thereof.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Ayers, from the Committee on Religion—

A bill to incorporate the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

By Mr. Clay, from the Committee on Agriculture and Manufactures—

A bill to amend an act, entitled "An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence," so as to extend the provisions of said act to the counties of Lyon and Trigg.

By Mr. Graves, from the Committee on Ways and Means.

A bill to authorize the county court of Butler county to increase the county levy for county purposes.

By same—

A bill for the benefit of Lewis S. Lee, late sheriff of Ballard county.

By Mr. F. A. Wilson, from the Committee on County Courts—

A bill for the benefit of the Dix River and Lancaster Turnpike Road Company.

By same—

A bill to establish an additional voting place in district No. 5, in McCracken county.

By Mr. Foote, from the same committee—

A bill to authorize the county court of Menifee county to issue bonds to assist in building a court-house in said county.

By Mr. Trafton, from the same committee—

A bill for the benefit of the county court of Union county.

By same—

A bill for the benefit of the present and late sheriffs of Union county.

By same—

A bill to change the time of holding the court of claims of Madison county

By Mr. Graves, from a select committee—

A bill to charter St. Mary's College, in Marion county.

By Mr. Blackburn, from the Committee on Railroads—

A bill to amend the charter of the Owensboro and Russellville Railroad.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Armstrong, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill for the education of colored children of this Commonwealth.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Graves,

*Ordered*, That said bill be printed and placed in the orders of the day.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—

An act to re-enact an act, approved February 16, 1866, entitled "An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek."

By same—

An act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

By Mr. Foote, from the Committee on County Courts—

An act to legalize certain orders and proceedings of the Larue county court.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Garnett read and laid on the table the following preamble and joint resolution, viz:

WHEREAS, The 14th section of an act, entitled "An act to establish the Bank of Kentucky," approved February 22d, 1834, provides that no dividend of the profits of said bank shall be declared until there shall be a surplus of twenty thousand dollars for each million of dollars of the capital stock of the bank actually paid in; and the surplus or contingent fund so raised shall never be reduced below that ratio on all stock paid for; and it shall be the duty of the president and directors of the principal bank, on the 1st Monday in January and July of each year, to declare a dividend of the profits over and above the contingent fund aforesaid among the stockholders, payable to them on demand, of which dividend, and the time and place of payment, notice shall be given; and whereas, it appears from the semi-annual statement, made by the cashier of said bank on the 30th June, 1871, and the report of Grant Green and John Rodman, the committee appointed by the Board of Commissioners of the Sinking Fund, made October 31st, 1871, that said bank had a surplus of $571,976 35; that the capital stock of said bank is $2,431,400; that the surplus or contingent fund now held by said bank exceeds the sum allowed by the charter by $497,976 35, which sum of $497,976 35 ought to be divided among the stockholders; and whereas, the State of Kentucky owns $778,900 of the capital stock of said bank; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the president and directors of said bank be required, on the 1st Monday in January next, to declare a dividend of all the profits and surplus of said bank, over and above the contingent fund allowed by the charter as aforesaid, among the stockholders, payable to them on demand.

On motion of Mr. Bush, the rule requiring a joint resolution to lie one day on the table was suspended, and the said preamble and resolution taken up.

Mr. Wright moved to print and postpone the consideration of the same indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Baker, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| R. Tarv. Baker, | J. P. Hampton, | L. W. Trafton, |
| John S. Carpenter, | J. A. McCampbell, | E. F. Waide, |
| R. D. Cook, | J. P. Sacksteder, | Jonas D. Wilson, |
| Walter Evans, | Harry I. Todd, | J. M. Wright—13. |
| Wm. Cassius Goodloe, | | |

Those who voted in the negative were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | W. A. Morin, |
| Wm. A. Allen, | Joseph M. Davidson, | Wm. Mynhier, |
| A. C. Armstrong, | W. W. Deaderick, | J. L. Nall, |
| A. S. Arnold, | John W. Dyer, | Mat. Nunan, |
| W. W. Ayers, | W. H. Evans, | John W. Ogilvie, |
| G. W. Bailey, | M. Woods Ferguson, | Julian N. Phelps, |
| W. W. Baldwin, | T. S. Fish, | Lewis Potter, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | Hiram S. Powell, |
| W. R. Bates, | C. D. Foote, | W. L. Reeves, |
| W. N. Beckham, | Joseph P. Foree, | E. A. Robertson, |
| John A. Bell, | James Garnett, | John Rowan, |
| S. C. Bell, | E. A. Graves, | John P. Rowlett, |
| J. C. S. Blackburn, | C. P. Gray, | J. R. Sanders, |
| Wm. F. Bond, | Wm. A. Hoskins, | C. C. Scales, |
| W. W. Bush, | George M. Jesse, | James W. Snyder, |
| Thomas P. Cardwell, | E. Polk Johnson, | J. S. Taylor, |
| Robert M. Carlisle, | T. M. Johnson, | C. W. Threlkeld, |
| George Carter, | T. J. Jones, | Joseph T. Tucker, |
| B. E. Casselly, | J. S. Lawson, | T. W. Varnon, |
| James S. Chrisman, | G. W. Little, | T. J. Walker, |
| C. M. Clay, jr., | J. J. McAfee, | J. L. Waring, |
| J. Guthrie Coke, | Bryan S. McClure, | C. H. Webb, |
| Josiah H. Combs, | Wm. J. McElroy, | J. M. White, |
| Wm. G. Conrad, | M. E. McKenzie, | F. A. Wilson, |
| R. L. Cooper, | T. J. Megibben, | J. N. Woods, |
| Thomas H. Corbett, | J. C. Moorman, | S. H. Woolfolk—78. |

Mr. Waide then moved that the same be printed, and made the special order of the day for to-morrow at 11 o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said preamble and resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Wm. Mynhier, |
| Wm. A. Allen, | W. W. Deaderick, | J. L. Nall, |
| A. C. Armstrong, | John W. Dyer, | Mat. Nunan, |
| A. S. Arnold, | Walter Evans, | John W. Ogilvie, |
| W. W. Ayers, | W. H. Evans, | Julian N. Phelps, |
| G. W. Bailey, | M. Woods Ferguson, | Lewis Potter, |
| R. Tarv. Baker, | T. S. Fish, | Hiram S. Powell, |
| W. W. Baldwin, | James B. Fitzpatrick, | W. L. Reeves, |
| Alpheus W. Bascom, | C. D. Foote, | E. A. Robertson, |
| W. R. Bates, | Joseph P. Foree, | John Rowan, |
| W. N. Beckham, | James Garnett, | John P. Rowlett, |
| John A. Bell, | Wm. Cassius Goodloe, | J. R. Sanders, |
| S. C. Bell, | E. A. Graves, | C. C. Scales, |
| J. C. S. Blackburn, | C. P. Gray, | James W. Snyder, |
| Wm. F. Bond, | Wm. A. Hoskins, | J. S. Taylor, |
| W. W. Bush, | George M. Jessee, | C. W. Threlkeld, |
| Thomas P. Cardwell, | E. Polk Johnson, | Harry I. Todd, |
| Robert M. Carlisle, | T. M. Johnson, | L. W. Trafton, |
| George Carter, | T. J. Jones, | Joseph T. Tucker, |
| B. E. Casselly, | J. S. Lawson, | T. W. Varnon, |
| James S. Chrisman, | G. W. Little, | T. J. Walker, |
| C. M. Clay, jr., | J. J. McAfee, | J. L. Waring, |
| J. Guthrie Coke, | J. A. McCampbell, | C. H. Webb, |
| Josiah H. Combs, | Bryan S. McClure, | J. M. White, |
| William G. Conrad, | William J. McElroy, | F. A. Wilson, |
| R. D. Cook, | M. E. McKenzie, | Jonas D. Wilson, |
| R. L. Cooper, | T. J. Megibben, | J. N. Woods, |
| Thomas H. Corbett, | J. C. Moorman, | S. H. Woolfolk—86. |
| J. E. Cosson, | W. A. Morin, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| John S. Carpenter, | E. F. Waide, | J. M. Wright—4. |
| J. P. Sacksteder, | | |

Mr. Corbett moved to reconsider said vote.

Mr. Bush moved to lay the motion of Mr. Corbett on the table.

And the question being taken on the motion of Mr. Bush, it was decided in the affirmative.

And then the House adjourned.

## TUESDAY, DECEMBER 19, 1871.

The following petitions were presented, viz:

By Mr. S. C. Bell—

1. The petition of the Board of Trade of the city of Chattanooga, Tennessee, praying for aid in the construction of the proposed Cincinnati Southern Railway.

By Mr. Sellers—

2. The petition of citizens of the town of Lancaster, praying the passage of an act extending the corporate limits of said town.

By Mr. Garnett—

3. The petition of citizens of Harrodsburg, and within two miles thereof, praying for the passage of an act allowing S. B. Saunders to apply for and obtain a license to keep a hotel, with the privilege of retailing ardent spirits therein.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Railroads; the 2d to the Committee on County Courts, and the 3d to the Committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to change the times of holding the Mercer county quarterly court.

An act discontinuing so much of the public road leading from Bardstown to Elizabethtown as lies within one mile of Bardstown.

An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

An act authorizing the recording of plats of Briensburg and Calvert City, in Marshall county.

An act to regulate the times of holding the Caldwell quarterly court.

Resolution in relation to Congressional apportionment.

Resolution in regard to tax on cotton levied by the General Government.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes.

An act to amend an act, entitled "An act to incorporate the West Paris Bridge Company," approved March 15, 1871.

An act for the benefit of school district No. 8, fractional, and No. 51, in Hart county.

An act for the benefit of the county court of Union county.

An act for the benefit of the present and late sheriffs of Union county.

An act for the benefit of W. H. Hughlett, jailer of Simpson county.

An act to incorporate the Observer and Reporter Printing Company.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to amend section 6, chapter 32, title "Elections," of the Revised Statutes.

2. An act to amend the charter of the town of Lancaster.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on the Revised Statutes, and the 2d to the Committee on Corporate Institutions.

Mr. Jones read and laid on the table the following preamble and joint resolution, viz:

WHEREAS, The General Assembly has passed a resolution adjourning on the 20th December, 1871, to stand adjourned till 9th of January, 1872, for Christmas holidays; now, therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the pay of the members and officers of both Houses of the Assembly be suspended during said recess; and no officer nor member shall receive any pay or per diem during the recess.

Mr. Jones moved to suspend the rule requiring a joint resolution to lie one day on the table, and to take up said resolution.

And the question being taken thereon, it was decided in the negative.

Mr. Scales read and laid on the table the following joint resolution, viz:

*Resloved by the General Assembly of the Commonwealth of Kentucky*, That both Houses of this General Assembly unite in paying respect

to the memory of the late widow of Hon. Charles S. Morehead, former Governor of this Commonwealth, by attending the funeral of the deceased, to take place in this city on Wednesday, December 20, 1871, at three o'clock, P. M

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up, twice read, and unanimously adopted.

The House took up the amendment proposed by the Senate, to a bill which originated in the House of Representatives, entitled

An act to incorporate the Observer and Reporter Printing Company.

Said amendment was concurred in.

Under the joint resolution heretofore adopted, directing a select committee of each House to prepare and bring in a bill to divide the State into Congressional Districts, the Speaker appointed the following committee on the part of this House, viz:

Messrs. McKenzie, Griffith, Bush, Graves, Waide, Megibben, Blackburn, Chrisman, Bascom, and Varnon.

Leave of absence, indefinitely, was granted Messrs. Garnett and Baldwin.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ogilvie—

1. A bill to amend the charter of the Paducah Gas-light Company.

On motion of Mr. Hoskins—

2. A bill for the benefit of F. Yeiser, of Boyle county.

On motion of Mr. Anderson—

3. A bill to incorporate the Workmen's Publishing Company, of Louisville, Kentucky.

On motion of same—

4. A bill to amend the charter of the Twelfth Street Methodist Episcopal Church, South, of Louisville, approved 3d of February, 1865.

On motion of Mr. Griffith—

5. A bill for the benefit of school district No. 28, in Daviess county.

On motion of Mr. Conrad—

6. A bill for the benefit of late clerks, sheriffs, and other officers of this Commonwealth.

*Ordered*, That a select committee, consisting of Messrs. Ogilvie, Corbett, and Griffith, prepare and bring in the 1st; the Committee on Ways and Means the 2d; the Committee on Corporate Institutions the

3d and 4th; the Committee on Education the 5th; and the Committee on the Revised Statutes the 6th.

The Speaker laid before the House the response of the Commissioners of the Sinking Fund, to a resolution of this House of the 15th inst., in regard to the present value of the State's stock in the Bank of Kentucky, viz:

*To the Speaker of the House of Representatives:*

The Commissioners of the Sinking Fund, in response to a resolution of your honorable body of the 15th December, 1871, report that the market value of the stock in the Bank of Kentucky on this day is 103–4.

From a report made to this board by Messrs. Grant Green and John Rodman, in pursuance of a resolution of the board to ascertain all the matters mentioned therein, we have derived all the information in our power, and we beg leave to make that report a part of our response; and we respectfully suggest, that said report covers every point of inquiry contained in your resolution.

Respectfully,

P. H. LESLIE,

*Chairman Board Commissioners Sinking Fund.*

Frankfort, December 18, 1871.

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Frankfort, Ky., October 31, 1871.

To Hon. Preston H. Leslie, *Chairman Board Sinking Fund Commissioners:*

The undersigned committee, in obedience to the direction of the Board of Sinking Fund Commissioners, visited the Bank of Kentucky and the Bank of Louisville, and examined the affairs of said institutions, with the view of ascertaining their condition, and report the following as the result of their investigation:

The condition of the Bank of Kentucky, on the 30th day of June, 1871, as shown by the printed statement of the bank, was as follows:

RESOURCES.

| | |
|---|---|
| Notes discounted maturing | $268,146 80 |
| Notes discounted past due | 37,176 37 |
| Bills of exchange maturing | 1,819,594 81 |
| Bills of exchange past due | 34,415 63 |
| Suspended debt in suit | 50,770 83 |
| Amount carried forward | $2,210,104 44 |

| | |
|---|---|
| Amount brought forward | $2,210,104 44 |
| United States and other bonds and securities | 643,487 40 |
| Real estate for debt | 24,783 17 |
| Real estate for banking-houses | 48,177 31 |
| Protest account | 125 74 |
| Bank balances, other than Eastern | 302,866 16 |
| United States Treasury and National Bank notes | 206,794 93 |
| Deposits in Eastern banks | 863,058 92 |
| | $4,299,398 07 |

LIABILITIES.

| | |
|---|---|
| Capital stock | $2,431,400 00 |
| Dividends unpaid | 42,571 10 |
| Contingent fund required by charter | 74,000 00 |
| Fund to cover losses | 366,059 02 |
| Fund to redeem circulation | 113,846 00 |
| Profit and loss, after deducting dividend No. 67 | 71,917 33 |
| Due to depositors | 1,199,604 62 |
| | $4,299,398 07 |

There is but little change since this report in the condition of the bank, outside of the earnings, which will go principally to the payment of the next January dividend, and may add something to the surplus fund; and, as the bank could not furnish us with a consolidated statement since the one above, we assume it as the basis from which to make our statement in regard to the surplus:

| | |
|---|---|
| The surplus, as shown above, is | $511,976 35 |
| There should be added to this of the fund for redemption of circulation, amount for unredeemed circulation, which will never be presented for redemption | 60,000 00 |
| And we have the surplus | $571,976 35 |

Assuming that all the assets of the bank are good, this makes the stock worth 23½ per cent. above par.

This bank, however, like all the old banks of the State, had large debts created before and during the war, some of which were accumulations of years, and were hanging on for settlement, and others that were good, but debtors so crippled by the war and its general effects upon the commerce and business of the country, that they could not pay. All the paper of this sort which has been ascertained to be bad beyond question, has been charged off. There is still

another class which has been renewed from time to time, and kept alive with the hope of its ultimate settlement; but some of it must be finally lost, and with it, perhaps, other paper which is looked upon as good; and we have concluded, after sealing the different items of reported assets, that $288,741 10 would be a liberal amount to take off to cover all losses that might occur in any contingency; and, assuming this basis, the surplus fund would stand as follows:

| | |
|---|---|
| Surplus fund reported by bank, with amount to cover circulation which will not be redeemed | $571,976 35 |
| Estimated amount above to cover losses | 283,741 10 |
| Leaves surplus unquestionably good | $288,235 25 |

This makes the stock worth nearly 12 per cent. premium; the amount taken off, we think, very liberal, but we prefer to overestimate, that your board may know the unquestionable value of the stock.

The condition of the Bank of Louisville, on the 30th day of June, 1871, as shown by the printed report, was as follows:

RESOURCES.

| | |
|---|---|
| Bills and notes discounted | $1,025,033 40 |
| Notes and bills due and unpaid | 21,414 64 |
| Suspended debt at branches | 96,128 00 |
| Bonds and stocks | 116,813 79 |
| Real estate for banking-houses | 75,130 72 |
| Real estate for debt | 146,887 90 |
| Due from banks | 437,283 07 |
| Costs on suits and protest account | 1,699 49 |
| Gold and silver | 64,409 34 |
| Currency | 122,366 00 |
| | $2,107,166 35 |

LIABILITIES.

| | |
|---|---|
| Capital stock | $1,292,800 00 |
| Surplus | 47,700 00 |
| Dividend No. 73 | 39,778 46 |
| Dividends unclaimed | 7,176 00 |
| Fund to redeem circulation | 63,916 00 |
| Due to banks | 265,677 29 |
| Due to depositors | 390,118 60 |
| | $2,107,166 35 |

There is no change in the condition of the bank since the above report was made that will change the surplus, and hence we assume the printed report as our basis for calculation:

| | |
|---|---|
| The surplus above is | $47,700 00 |
| Add circulation that will not be redeemed | 31,958 00 |
| And we have surplus of | $79,658 00 |

Assuming that the assets of the bank are all good, and will be realized, this makes the stock worth 6 per cent. premium. This bank has also a large *ante bellum* debt, and debts created during the war (some of which are not very good), and has met with heavy losses. Some of this paper is still hanging on in a suspended condition, and some unused and kept alive for future settlement, with a view of getting as much as possible out of it; and we estimate that $168,973 55 would fully cover the losses from the reported assets of this bank. Assuming this basis, the stock of the bank would be worth about 93. The officers of the bank think the stock would be worth par if the bank were wound up now.

The market price of the stock of the Bank of Kentucky is par to 1 per cent. premium, and with little selling and little inquiry for it. It is the opinion of the best informed bankers and brokers in the city, that par could be realized for the stock if placed upon the market in the hands of a discreet banker, in lots of fifty shares at a time, or in quantities to meet the demand as it may come up; but that if a larger quantity is placed upon the market at one time, the value would be decreased in proportion. It is our opinion that no large quantity could be sold without a concession from the present market price, and would not advise the sale of it, except in small quantities, and that through the agency of a president and discreet banker. Kentucky, and Louisville in particular, we think, would furnish the best market for this stock, though as a good deal of it is owned in Philadelphia and New York, some sales might be made at those points, though the tendency in the East to get rid of stocks in Kentucky and Southern State banks has been rather a prominent feature in the stock market in the last few years, and it is constantly going into the hands of persons in the State who have confidence in the management of the banks. In this way the banks have been materially strengthened. The money market, both in Louisville and New York, at this time, is working close, the principal part of it being needed and used at this time for moving hogs, grain, and cot-

ton, and it is in demand at high rates of interest. The stock market has almost been thrown into a panic by the immense quantity of stock thrown upon it by the insurance companies to meet their losses by the Chicago fire, which has increased the demand for money to cover losses and rebuild and supply lost stocks, and also to supply losses by fires generally throughout the Northwest. These things all taken together have brought about, at this time, the peculiar state of the market that makes money scarce, the rates of interest high, and forces down the best stocks in the country, and drives us to the conclusion that, at this time, the placing of a large amount of the very best stocks upon the market will, irresistibly, force it down to a price largely below its real value. The stock of the Bank of Kentucky, if placed upon the market in a large quantity, for the reasons stated, we think, would not bring more than 95, which would be a heavy loss on stock unquestionably worth 112, and likely to continue paying a dividend of 8 per cent. per annum.

The market price of the stock of the Bank of Louisville is 80, and it is decidedly weak at that price. Any quantity of over 30 or 50 shares at a time thrown upon the market would depress it materially; and we are satisfied, that if the stock owned by the State were all placed upon the market at one time, it would not sell for more than 75.

We herewith present a proposition from this bank for an exchange of the State bonds held by the bank for bank stock held by the State. This proposition is, substantially, to take bank stock at 80, and sell Kentucky bonds at par. We think, however, from a conversation with the bank officers, that the bank would exchange at the market price for each; and if the market price for the State bonds were fixed at 95, would advise the exchange to be made, for the reason that the bank cannot, in our opinion, be very profitably managed as long as it continues the Paducah and Flemingsburg branches, though it might still pay 6 per cent. dividend. A negotiation with the bank, on the terms of the market values of the stocks, would certainly be better than selling the bank stock at what it would bring upon the market, and then purchasing the bonds with the proceeds of the sale.

As to what policy should be pursued by the Sinking Fund Commissioners in regard to the sale of the stocks of the State in banks, &c., under all the circumstances surrounding them, is not within the

scope of our commission to say; but having fulfilled the commission given us to the best of our ability, with the lights before us, we are respectfully,

[Signed] GRANT GREEN,
JOHN RODMAN.

*Ordered*, That said response be printed, and the same be referred to the Committee on Sinking Fund.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Davidson, from the Committee on Propositions and Grievances—

An act to amend an act to protect small birds and game in the counties of Daviess and Lyon.

By Mr. Graves, from the Committee on Ways and Means.

An act for the benefit of J. E. Cossen, H. G. Trimble, and E. D. Porch, of the county of Pulaski.

By Mr. Anderson, from the Committee on Corporate Institutions—

An act to amend the charter of the town of Mayfield.

By same—

An act for the benefit of the town of Hawesville.

By Mr. Trafton, from the Committee on County Courts—

An act to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Reeves, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpikes, and gravel roads,

Reported the same without amendment.

Mr. Todd moved to amend said bill by striking from the 14th and 15th lines thereof the words "or an engineer or managing agent or superintendent employed by the company."

And the question being taken on the amendment proposed by Mr. Todd, it was decided in the negative.

Mr. Waide moved to recommit the bill to the Committee on Railroads.

And the question being taken on the motion of Mr. Waide, it was decided in the negative.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill for the benefit and relief of Haywood Gilbert, former sheriff of Clay county, and his sureties, for the year 1869.

By Mr. McKenzie, from the Committee on Propositions and Grievances—

A bill to prevent the destruction of fish by fish-nets in Cumberland river, within the limits of Trigg county.

By Mr. Bush, from the Committee on the Judiciary—

A bill for the benefit of common schools of the city of Paducah.

By Mr. Ayers, from the Committee on Religion—

A bill to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868.

By Mr. Cooper from the Committee on Education—

A bill for the benefit of common school district No. 23, in Livingston county.

By Mr. Baker, from the Committee on Circuit Courts—

A bill to increase the bonded debt of the city of Dayton, in Campbell county.

By Mr. Corbett, from a select committee—

A bill to amend the charter of the Paducah Gas-light Company.

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to amend an act to incorporate the Montgomery and Bath Counties Associated Turnpike Road Company.

By same—

A bill to amend an act to incorporate the Allensville Turnpike Company, in Clark county.

By Mr. Foote, from the Committee on County Courts—

A bill to authorize a committee appointed by the Kenton county court of claims to sell the poor-house farm of said county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Garnett, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill for the benefit of Bailum Hicks, of Webster county,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was rejected.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Graves, from the Committee on Ways and Means—

A bill to provide for the existing deficit in the Treasury.

By Mr. Foote, from the Committee on County Courts—

A bill to pay jurors in justices' and quarterly courts in this Commonwealth.

The last named bill with the expression of opinion that the same ought not to pass.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be printed, and postponed till, and made the special order of the day for, January 13, 1872.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to organize the South Kentucky Railroad Company," approved March 15, 1871;

An act to incorporate the Lewisburg and Taylor's Mill Turnpike Road Company, in Mason county;

Resolution in relation to a revision of the revenue laws;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Elkton, Todd county, or within one mile of the corporate limits thereof;

An act for the benefit of Richard W. Neeley;

An act for the benefit of John E. Walton, of Kenton county;

An act to repeal an act, entitled "An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the 1st judicial district," approved February 22d, 1871, so far as it applies to Hickman county, and to re-enact an act, approved February 5th, 1867, creating the court of common pleas in the first, third, and fourteenth judicial districts, so far as relates to Hickman county in the first judicial district;

An act for the benefit of W. H. Hughlett, jailer of Simpson county;

An act for the benefit of the present and late sheriffs of Union county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

The hour of 12 o'clock, M., having arrived, the House proceeded to the execution of the joint order of the day, viz: the election of a Senator in the Congress of the United States from the State of Kentucky, to succeed the Hon. Garrett Davis, whose term of service expires on the 3d day of March, 1873.

On motion of Mr. Chrisman, a committee was appointed, consisting of Messrs. Chrisman, Bush, and Baldwin, to inform the Senate that the House of Representatives was now ready to proceed to the execution of the joint order aforesaid; who having retired, after a time returned and reported that they had discharged their duty.

A message was received from the Senate, announcing that they were also ready to proceed with the execution of the joint order aforesaid.

Mr. Bush then nominated Hon. Thomas C. McCreery, of the county of Daviess.

Mr. Little nominated Hon. John M. Harlan, of the city of Louisville.

After interchanging messages by which each House was informed that the same persons were in nomination before them, this House then, a majority of all the members elected thereto being present, in pursuance to an act of the Congress of the United States, entitled "An act to regulate the times and manner of holding elections for Senators in Congress," approved July 25th, 1866, and the law of the State of Kentucky upon that subject, and in execution of the joint order aforesaid, proceeded to name and select a person to serve as Senator from the State of Kentucky in the Congress of the United States, in room of Hon. Garrett Davis, whose term of office will expire on the 3d day of March, 1873; and on a call of the roll the members present voted thus:

Those who voted for Mr. McCreery, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | John W. Ogilvie, |
| Wm. A. Allen, | Thomas H. Corbett, | Julian N. Phelps, |
| George W. Anderson, | Joseph M. Davidson, | Lewis Potter, |
| A. C. Armstrong, | W. W. Deaderick, | W. L. Reeves, |
| A. S. Arnold, | John W. Dyer, | E. A. Robertson, |
| W. W. Ayers, | M. Woods Ferguson, | John Rowan, |
| G. W. Bailey, | T. S. Fish, | John P. Rowlett, |
| W. W. Baldwin, | James B. Fitzpatrick, | J. P. Sacksteder, |
| Alpheus W. Bascom, | C. D. Foote, | J. R. Sanders, |
| W. R. Bates, | Joseph P. Foree, | Samuel M. Sanders, |
| W. N. Beckham, | E. A. Graves, | C. C. Scales, |
| John A. Bell, | C. P. Gray, | James W. Snyder, |
| S. C. Bell, | Clinton Griffith, | William Tarlton, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | J. S. Taylor, |
| Church H. Blakey, | E. Polk Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | T. M. Johnson, | Harry I. Todd, |
| W. B. M. Brooks, | T. J. Jones, | L. W. Trafton, |
| W. W. Bush, | J. S. Lawson, | Joseph T. Tucker, |
| Robert M. Carlisle, | Bryan S. McClure, | T. W. Varnon, |
| John S. Carpenter, | William J. McElroy, | E. F. Waide, |
| George Carter, | M. E. McKenzie, | J. L. Waring, |
| B. E. Casselly, | T. J. Megibben, | C. H. Webb, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| C. M. Clay, jr., | W. A. Morin, | F. A. Wilson, |
| J. Guthrie Coke, | Wm. Mynhier, | S. H. Woolfolk, |
| William G. Conrad, | J. L. Nall, | J. M. Wright—78. |

Those who voted for Mr. Harlan, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | W. H. Evans, | Hiram S. Powell, |
| Thomas P. Cardwell, | Wm. Cassius Goodloe, | Wm. Sellers, |

| | | |
|---|---|---|
| Josiah H. Combs, | J. P. Hampton, | T. J. Walker, |
| R. D. Cook, | G. W. Little, | Jonas D. Wilson, |
| J. E. Cosson, | J. A. McCampbell, | J. N. Woods—17. |
| Walter Evans, | Mat. Nunan, | |

And thereupon the Speaker declared that Hon. Thos. C. McCreery had received seventy-eight votes, and that Hon. John M. Harlan had received seventeen votes.

Mr. Blackburn offered the following joint resolutions, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That in the person of the Hon. Garrett Davis we recognize a faithful, honest, and efficient public servant, whose long and prominent association with the political history of the State and of the Nation has afforded an eminently satisfactory test of his integrity and capacity.

2. That for the manly manner in which he has ever striven to maintain the rights and uphold the dignity of this Commonwealth, he is entitled to the gratitude of his constituents.

The rule requiring joint resolutions to lie one day on the table being suspended, the said resolutions were taken up, twice read, and unanimously adopted.

And then the House adjourned.

## WEDNESDAY, DECEMBER 20, 1871.

The following petitions and remonstrance were presented, viz:

By Mr. Foree—

1. The petition of the colored Agricultural and Mechanical Association of Shelby county, praying for an act of incorporation.

By Mr. Powell—

2. The petition of citizens of Jackson county, praying for an appropriation to improve Sexton Fork of the Kentucky river.

By Mr. Nunan—

3. The petition of citizens of Washington county, praying the passage of an act to prohibit the sale of ardent spirits within five miles of Mackville, in said county.

By same—

4. The remonstrance of certain citizens of said county against the passage of said act.

By Mr. Speaker (McCreary)—

5. The petition of the residents and owners of the lands on Paint Lick creek, in Garrrard and Madison counties, praying the passage of a law to prohibit the drawing of a seine in said creek, from the mouth of said creek to the mouth of Back creek.

By Mr. Nunan—

6. The petition of citizens of Washington county, praying the passage of an act to authorize persons living on the Springfield, Willisburg, and Mackville Turnpike Road, or within one half mile thereof, to obtain license under the general laws to sell spirituous liquors as merchants or tavern-keepers.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures; the 2d to the Committee on Internal Improvement; and the 3d, 4th, 5th, and 6th to the Committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had concurred in the adoption of resolutions, which originated in the House of Representatives, of the following titles, viz:

Resolution in relation to the funeral of Mrs. C. S. Morehead.

Resolution directing distribution of surplus fund in Bank of Kentucky.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Marion Baker, of Webster county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15, 1871.

An act to revise and codify the charter of the city of Covington.

An act for the benefit of W. J. Lisle, administrator of Thomas W. Lisle.

An act for the benefit of Floyd county.

An act to increase the county levy of McLean county.

An act in relation to taxes for road purposes in Henderson county.

An act for the benefit of the town of Glasgow.

An act to amend the charter of the Owensboro and Russellville Railroad.

An act to amend an act incorporating the Public Library of Kentucky.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to change the county of Allen from the 6th to the 4th judicial district.

2. An act to change the time of holding the annual court of claims of Bath county.

3. An act for the benefit of W. A. Foutz, surety for B. T. Hayden, late sheriff of Rowan county.

4. An act to change the time for holding the circuit courts in the 5th judicial district.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on County Courts; the 3d to the Committee on Ways and Means; and the 4th to the Committee on Circuit Courts.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act for the benefit of common school district No. 8, in Lewis county.

On motion of Mr. Armstrong, the rule requiring its reference to a committee was suspended, the said bill taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Trafton, from the Committee on County Courts—

A bill authorizing the clerk of the Fleming county court to make up and correct omissions in the records of said court.

By Mr. Graves, from the Committee on Ways and Means—

A bill for the benefit of Daniel Miller, of Lincoln county.

By Mr. Clay, from the Committee on Agriculture and Manufactures—

A bill to amend the charter of the Harrison County Agricultural Society.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Clay,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by this House, of a bill, which originated in the Senate, entitled

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, or gravel roads.

Said mesage having been delivered to the Senate, said bill was returned to this House and laid upon the Clerk's table.

And thereupon Mr. Clay moved to reconsider the vote by which said bill was passed.

Mr. Trafton, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill to change the meeting of the General Assembly.

Which was read the first time.

And the question being put, "Shall the bill be read a second time?" it was decided in the negative.

And so said bill was rejected.

Mr. Clay, from the Committee on Agriculture and Manufactures, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act for the protection of the livery stable-keepers of this Commonwealth," approved January 31, 1871.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Graves, said bill was recommitted to the same committee.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the town of Hawesville;

An act to re-enact an act, approved February 16, 1866, entitled "An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek;"

An act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route;

An act for the benefit of the county of Nelson;

An act to legalize certain orders and proceedings of the Larue county court;

And also enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15, 1871;

An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes;

An act for the benefit of school districts No. 8, fractional, and No. 51, in Hart county;

An act to amend an act, entitled "An act to incorporate the West Paris Bridge Company," approved March 15, 1871;

An act to incorporate the Observer and Reporter Printing Company.

An act for the benefit of the county court of Union county;

Resolution in relation to the funeral of Mrs. C. S. Morehead;

Resolution directing distribution of surplus fund in Bank of Kentucky;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, entitled

Resolution in relation to disposition of State's stock in certain railroad companies.

On motion of Mr. Jessee, and by unanimous consent of the House, it may be recorded that Mr. Jessee would, on yesterday, had he been present, have voted for Hon. T. C. McCreery for United States Senator from this State.

Mr. Todd offered the following resolution, viz :

*Resolved*, That the Auditor be, and he is hereby, instructed to report to this House, with as little delay as practicable, what amount of money has been paid per annum by the State of Kentucky for the public printing; and what amount has been paid per annum for the paper furnished the Public Printer by the State since the 1st day of August, 1860; also the amount paid by the State per annum for the public binding since the 1st day of August, 1860, and the cost of the paper per annum furnished the Binder by the State within said time.

Which was adopted.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled

Resolution in relation to taking of recess.

Mr. Gray moved to suspend the rule requiring a joint resolution to lie one day on the table.

And the question being taken on the motion of Mr. Gray, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Anderson and Evans, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | John W. Ogilvie, |
| Wm. A. Allen, | T. S. Fish, | Julian N. Phelps, |
| A. C. Armstrong, | C. D. Foote, | Lewis Potter, |

| | | |
|---|---|---|
| W. N. Beckham, | Joseph P. Foree, | Hiram S. Powell, |
| S. C. Bell, | E. A. Graves, | John Rowan, |
| J. C. S. Blackburn, | C. P. Gray, | John P. Rowlett, |
| Church H. Blakey, | Clinton Griffith, | Samuel M. Sanders, |
| Wm. F. Bond, | Wm. A. Hoskins, | C. C. Scales, |
| W. B. M Brooks, | E. Polk Johnson, | William Sellers, |
| Robert M. Carlisle, | T. M. Johnson, | James W. Snyder, |
| John S. Carpenter, | T. J. Jones, | J. S. Taylor, |
| George Carter, | Bryan S. McClure, | C. W. Threlkeld, |
| B. E. Casselly, | Wm. J. McElroy, | Joseph T. Tucker, |
| James S. Chrisman, | M. E. McKenzie, | T. W. Varnon, |
| Thomas H. Corbett, | J. C. Moorman, | J. M. White, |
| J. E. Cosson, | J. L. Nall, | S. H. Woolfolk—48. |

Those who voted in the negative were—

| | | |
|---|---|---|
| George W. Anderson, | M. Woods Ferguson, | J. R. Sanders, |
| G. W. Bailey, | James B. Fitzpatrick, | William Tarlton, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | Harry I. Todd, |
| Thomas P. Cardwell, | George M. Jesse, | L. W. Trafton, |
| C. M. Clay, jr., | J. A. McCampbell, | E. F. Waide, |
| J. Guthrie Coke, | T. J. Megibben, | C. H. Webb, |
| Josiah H. Combs, | W. A. Morin, | F. A. Wilson, |
| R. D. Cook, | Mat. Nunan, | Jonas D. Wilson, |
| John W. Dyer, | W. L. Reeves, | J. N. Woods, |
| Walter Evans, | J. P. Sacksteder, | J. M. Wright—31. |
| W. H. Evans, | | |

And so the House refused to suspend the said rule.

Mr. E. Polk Johnson offered the following preamble and resolution, viz:

Whereas, The different newspapers subscribed for by the members of this House will be sent to them at this place during the recess unless otherwise instructed; therefore,

*Resolved*, That the Sergeant-at-Arms be instructed to report the post-office address of the members to the different newspaper offices, and order their papers sent there during the recess.

Which were adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Foree—

1. A bill to incorporate the Colored Agricultural and Mechanical Association, of Shelby county.

On motion of same—

2. A bill to amend an act for the protection of livery stable-keepers in this Commonwealth, approved January 13, 1871.

On motion of Mr. Blakey—

3. A bill to punish certain trespasses in Logan county.

On motion of Mr. Bond—

4. A bill to amend an act to incorporate the town of Rough and Ready.

On motion of Mr. Tucker—

5. A bill for the benefit of the circuit and county clerks and late sheriff of Montgomery county.

On motion of Mr. Powell—

6. A bill for the benefit of Henry Forbes, of Laurel county.

On motion of Mr. Sellers—

7. A bill to increase the capital stock of the Garrard County and Kirksville Turnpike Road Company, approved March 9th, 1868.

On motion of same—

8. A bill to repeal section 832, chapter 3, article 1, Civil Code of Practice.

On motion of same—

9. A bill to amend section 37, chapter 1, Civil Code of Practice.

On motion of Mr. Megibben—

10. A bill for the completion and construction of turnpike roads in Harrison county.

On motion of same—

11. A bill for the benefit of N. F. Smith, of Harrison county.

On motion of Mr. W. H. Evans—

12. A bill for the division of the surplus school bonds of Harlan, Knox, and Josh Bell counties.

On motion of Mr. Cook—

13. A bill to regulate the weight of stone-coal in Rockcastle and Laurel counties.

On motion of Mr. S. M. Sanders—

14. A bill to repeal an act to amend the charter of the town of Harrodsburg, approved February, 1871.

On motion of Mr. Fitzpatrick—

15. A bill for the benefit of Stephen T. and Samuel Blair, of Letcher county.

On motion of Mr. Graves—

16. A bill to change the time of holding elections in this Commonwealth.

On motion of Mr. Ogilvie—

17. A bill to incorporate the Savings Bank at Paducah, Kentucky.

On motion of same—

18. A bill for the benefit of the police judge of the town of Woodville.

On motion of Mr. Deaderick—

19. A bill for the benefit of John M. Curry, late sheriff of Pendleton county.

On motion of Mr. Foree—

20. A bill to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

On motion of Mr. McKenzie—

21. A bill to incorporate the town of Montgomery, in Trigg county.

On motion of Mr. Nunan—

22. A bill for the benefit of school district No. 28, in Washington county.

*Ordered*, That the Committee on Agriculture and Manufactures prepare and bring in the 1st and 13th; the Committee on the Revised Statutes the 2d, 5th, and 6th; the Committee on the Judiciary the 3d, 10th, and 11th; the Committee on Corporate Institutions the 4th; the Committee on County Courts the 7th and 18th; the Committee on Codes of Practice the 8th; the Committee on the Court of Appeals the 9th; the Committee on Education the 12th and 22d; the Committee on Propositions and Grievances the 14th, 15th, 19th, and 21st; the Committee on Circuit Courts the 16th; the Committee on Banks the 17th; and the Committee on Internal Improvement the 20th.

Mr. Todd read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Quarter-Master General is hereby directed to have a salute fired on the 8th day of January, 1872, at 12 o'clock, M., in honor of the victory at New Orleans, and on the 22d day of February, 1872, in honor of the Father of his Country, George Washington.

The rule being suspended, the said resolution was taken up and twice read.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Foree and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Julian N. Phelps, |
| Wm. A. Allen, | John W. Dyer, | Lewis Potter, |
| George W. Anderson, | W. H. Evans, | Hiram S. Powell, |

| | | |
|---|---|---|
| A. C. Armstrong, | M. Woods Ferguson, | W. L. Reeves, |
| G. W. Bailey, | T. S. Fish, | John Rowan, |
| R. Tarv. Baker, | James B. Fitzpatrick, | John P. Rowlett, |
| W. N. Beckham, | C. D. Foote, | J. P. Sacksteder, |
| S. C. Bell, | Joseph P. Foree, | J. R. Sanders, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| Church H. Blakey, | E. A. Graves, | C. C. Scales, |
| Wm. F. Bond, | C. P. Gray, | James W. Snyder, |
| W. B. M. Brooks, | Clinton Griffith, | J. S. Taylor, |
| Thomas P. Cardwell, | Wm. A Hoskins, | C. W. Threlkeld, |
| Robert M. Carlisle, | E. Polk Johnson, | Harry I. Todd, |
| John S. Carpenter, | Thos. M. Johnson, | L. W. Trafton, |
| George Carter, | T. J. Jones, | Joseph T. Tucker, |
| B. E. Cassely, | J. A. McCampbell, | T. W. Varnon, |
| James S. Chrisman, | Bryan S. McClure, | E. F. Waide, |
| C. M. Clay, jr., | M. E. McKenzie, | C. H. Webb, |
| J. Guthrie Coke, | T. J. Megibben, | J. M. White, |
| Josiah H. Combs, | J. C. Moorman, | Jonas D. Wilson, |
| R. D. Cook, | W. A. Morin, | J. N. Woods, |
| Thomas H. Corbett, | Mat. Nunan, | S. H. Woolfolk, |
| J. E. Cosson, | John W. Ogilvie, | J. M. Wright—72. |

In the negative, F. A. Wilson—1.

And so said resolution was adopted.

The hour of 12 o'clock, M., having arrived, on motion of Mr. Varnon, a committee, consisting of Messrs. Varnon, McElroy, and Foree, was appointed to wait upon the Senate and inform that body that this House was now ready to proceed still further in the execution of the joint order of the day, viz: the election of a Senator to serve in the Senate of the United States from the State of Kentucky, in the room and stead of the Hon. Garrett Davis on the expiration of his present term.

Having retired, after a time the committee returned and reported that they had discharged that duty.

A message was received from the Senate, announcing that they were also ready to proceed to the further execution of the joint order aforesaid.

And then, in pursuance to an act of Congress, of date of July 25th, 1866, entitled "An act to regulate the times and manner of holding elections for Senators in Congress," and of an act of the General Assembly of the Commonwealth of Kentucky, approved January 15th, 1867, the Senate of Kentucky, being then in session, entered the Hall of this House, then in session, and then and there held a joint session of the two Houses of the General Assembly of the Commonwealth of Kentucky, the Hon. John G. Carlisle, the Lieutenant

Governor and Speaker of the Senate, presiding over, and the same composed of a majority of all the members of each House elected to said General Assembly.

The Journals of the Senate and of this House of yesterday were then read by the Clerks of each House; and it appearing from said Journals that, on the ballot taken in each House on yesterday, as read by the Clerks thereof, in the election of a Senator as aforesaid, and in execution of the joint order, Hon. Thomas C. McCreery had received—

| | |
|---|---|
| In the Senate, | 34 votes. |
| In the House, | 78 votes. |
| Total, | 112 votes. |

And that Hon. John M. Harlan had received—

| | |
|---|---|
| In the Senate, | 3 votes. |
| In the House, | 17 votes. |
| Total, | 20 votes. |

And that Hon. Thomas C. McCreery had received a majority of all the votes cast, and a majority of all the votes cast in either House of the General Assembly.

Thereupon the Speaker of the Senate, and Presiding Officer of the joint session, announced that the Hon. Thomas C. McCreery was nominated and elected to serve as a Senator from the State of Kentucky in the Congress of the United States, to succeed Hon. Garrett Davis, whose term of office expires on the 3d day of March, 1873.

And then, on motion, the joint session dissolved, and the Speaker resumed the chair.

On motion of Mr. Anderson, and in pursuance to the joint resolution heretofore adopted by both Houses, the Speaker declared this House adjourned until the 9th day of January, 1872.

## TUESDAY, JANUARY 9, 1872.

The following petitions and remonstrances were presented, viz:

By Mr. Corbett—

1. The petition of citizens of Blandville school district, in Ballard county, praying for the passage of a law allowing a ten months' school to be taught in said district.

By Mr. Anderson—

2. The petition of J. C. Elrod, praying compensation for expenses incurred in arresting a criminal.

By Mr. Foote—

3. The petition of citizens of Covington and vicinity, praying the passage of an act to regulate the rates of ferriage and toll to be charged by the Cincinnati and Covington Bridge Company.

By same—

4. The petition of the members of the bar of Kenton county, praying the passage of an act enabling the county attorney of said county to appoint an assistant.

By Mr. Walker—

5. The petition of certain citizens of Lewis county, praying for the repeal of the act incorporating the Kinnikinick and Mt. Carmel Dirt Pike Company.

By same—

6. The remonstrance of certain citizens of Lewis county, against the passage of an act changing the course or terminus of a certain turnpike road therein named.

By Mr. Waring—

7. The petition of the heirs of R. M. Biggs, praying to be relieved of taxes wrongfully assessed against them in the year 1869.

By same—

8. The petition of citizens of Greenup county, praying for the passage of certain amendments to the Senate bill to amend the charter of the Kentucky and Great Eastern Railway Company.

By Mr. Davidson—

9. The petition of sundry citizens of Floyd county, praying the formation of a new county out of parts of the territory of said county.

By Mr. Armstrong—

10. The petition of certain citizens of Augusta, praying for an amendment to the charter of said city.

By Mr. White—

11. The petition of certain citizens of the town of Upton, praying for an amendment to the act establishing said town.

By Mr. Waring—

12. The petition of certain citizens of Greenup county, praying the passage of an act to establish the Ohio River and Tygert's Creek Draining Company.

By same—

13. The remonstrance of certain citizens of Boyd county, protesting against the passage of an act to compel the county court of Boyd county to order an election on the question of a subscription to railways or other corporations without the consent of said court.

By Mr. Speaker (McCreary)—

14. The remonstrance of certain citizens of Lancaster, in Garrard county, against the passage of an act to enlarge the boundary of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education; the 2d to the Committee on Claims; the 3d and 5th to the Committee on County Courts; the 4th to the Committee on the Judiciary; the 6th to the Committee on Internal Improvement; the 7th to the Committee on Propositions and Grievances; the 8th and 13th to the Committee on Railroads; and the 10th, 11th, and 14th to the Committee on Corporate Institutions.

A message was received from the Senate, announcing that they had concurred in the adoption of a resolution, which originated in the House of Representatives, entitled

Resolution directing the firing of salutes on the 8th of January and 22d of February, 1872.

That they had concurred in the amendment proposed by the House of Representatives, to a bill which originated in the Senate, entitled

An act to better define the duties of overseers of public highways in Cumberland county.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Hebron Cemetery Company, in Boone county.

An act to amend sections 4 and 5, article 2, chapter 32, of the Revised Statutes.

An act to amend section 5, article 2, chapter 83, of the Revised Statutes.

An act to re-enact an act, entitled "An act for the benefit of the citizens of the town of Williamsburg, in Whitley county."

An act to amend an act, entitled "An act to incorporate the town of New Market, in Marion county," approved March 21, 1871.

An act to incorporate the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

An act to establish an additional voting place in district No. 5, in McCracken county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate sales made under decrees of the Barren circuit court.

An act for the benefit of Hopkins county.

An act for the benefit of B. K. Bethurum, late sheriff of Rockcastle county, and his sureties.

An act to authorize the county court of Butler county to increase the county levy for county purposes.

An act for the benefit of the Dix River and Lancaster Turnpike Road Company.

An act to authorize the county court of Menifee county to issue bonds to assist in building a court-house in said county.

An act to change the time of holding the court of claims of Madison county

An act for the benefit and relief of Haywood Gilbert, former sheriff of Clay county, and his sureties, for the year 1869.

An act to amend the charter of the Paducah Gas-light Company.

An act for the benefit of Daniel Miller, late sheriff of Lincoln county

An act to amend the charter of the town of Winchester.

With an amendment to the last named bill.

And that they had passed a bill, entitled

An act for the benefit of W. E. Clelland, sheriff of Mercer county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Ways and Means.

AUDITOR'S OFFICE, FRANKFORT, KY., 9th January, 1872.

HON JAMES B. MCCREARY, *Speaker House Representatives:*

SIR: I feel it to be my duty to lay before the House of Representatives the condition of the Treasury on the 1st inst. It is as follows:

| | | |
|---|---|---|
| In Sinking Fund | $255,595 87 | |
| In Sinking Fund not transferred | 214,376 17 | |
| | | $469,972 04 |
| School Fund | $97,056 38 | |
| School Fund not transferred | 260,761 15 | |
| | | 357,817 53 |
| Insurance Bureau | | 2,963 12 |
| Enrolled Militia | | 7,952 39 |
| Negro Fund | | 5,422 20 |
| Military Fund | | 28 00 |
| | | $844,155 28 |
| Deduct deficit in Revenue Proper | | 93,783 13 |
| Total balance in Treasury January 1st, 1872 | | $750,372 15 |

From this statement it will be seen that there is not a dollar in the Treasury to the credit of the Revenue Proper; but, on the contrary, a deficit in that fund of $93,783 13.

It is for the General Assembly, in its wisdom, to provide for the stated deficit, so as to enable me to pay the expenses of its present session, and other current expenses of the State.

I have the honor to be,

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, *Auditor.*

On motion of Mr. Todd, the Public Printer was directed to print one hundred and fifty copies thereof for the use of this House.

A message was received from the Senate, asking leave to withdraw from this House the announcement of the passage, with an amendment by the Senate, of a bill, which originated in the House of Representatives, entitled

An act to amend an act incorporating the Public Library of Kentucky.

Which was granted, and said bill delivered to the Senate messenger.

Mr. Baker, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act to change the time for holding the circuit courts in the 5th judicial district,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Todd offered the following resolution, viz :

*Resolved*, That the Commissioners of the Sinking Fund be, and are hereby, directed to furnish this House with a statement of the amount in the Treasury to their credit on the 1st day of January, 1868, and a detailed statement of the receipts and expenditures of said Commissioners of the Sinking Fund since the 31st day of December, 1867.

Which was adopted.

Mr. Todd offered the following resolution, viz :

*Resolved*, That the Commissioners of the Eastern Lunatic Asylum at Lexington, of the Western Lunatic Asylum at Hopkinsville, of the Deaf and Dumb Asylum at Danville, of the Blind Asylum at Louisville, and of the Feeble-minded Asylum at Frankfort, be, and are hereby, directed to furnish this House, on or before the 25th January, 1872, a detailed statement of the expense attending the management of these institutions (each year separately, with the vouchers for the money expended) since the 1st day of January, 1868; also the names and number of pay patients in each institution, and the amount received on behalf of each.

Which was adopted.

Mr. Todd offered the following preamble and resolution, viz :

WHEREAS, There is a large deficiency in the revenue department of the Treasury of this State; and whereas, it is necessary that this General Assembly should make provision for that deficiency; therefore,

*Resolved*, That the Auditor be, and is hereby, directed to report to this House, with as little delay as practicable, against what revenue officers he has obtained judgment; what amount he obtained judgment for; what amount has been paid, and by whom; and what amount remains unpaid, and by whom; and what amount has been paid as attorney's fees on each judgment obtained in such cases since the 1st day of September, 1867; also what commission has been paid upon the amount collected, to whom, and by whom paid; also what commissions and fees, if any, have been paid on judgments obtained where no money was collected.

Which were adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Corbett—

1. A bill to prevent persons from interfering with laborers or servants, &c.

On motion of same—

2. A bill in relation to the town of Blandville, Ballard county.

On motion of same—

3. A bill to change the time of holding the court of common pleas in Ballard county.

On motion of same—

4. A bill to change the time of holding the quarterly courts in Ballard county.

On motion of same—

5. A bill for the benefit of M. T. Shelburn, of Ballard county.

On motion of Mr. Bates—

6. A bill to exempt dentists from serving on juries.

On motion of Mr. Clay—

7. A bill to amend the charter of the city of Paris.

On motion of Mr. Woods—

8. A bill to prohibit the sale of spirituous, vinous, or malt liquors in Crittenden county.

On motion of same—

9. A bill to sell the poor-house farm in Crittenden county.

On motion of Mr. Griffith—

10. A bill to amend the charter of the Bank of America, of the city of Louisville.

On motion of Mr. Goodloe—

11. A bill for the benefit of the Northern Bank of Kentucky.

On motion of same—

12. A bill to incorporate the Lexington City Passenger and Freight Railroad Company.

On motion of same—

13. A bill to amend article 3, chapter 86, of the Revised Statutes.

On motion of Mr. Davidson—

14. A bill to amend section 101 of the Criminal Code of Practice.

On motion of same—

15. A bill to amend section 120, Criminal Code of Practice.

On motion of same—

16. A bill to authorize the issual of subpœnas for witnesses in vacation to appear before the grand jury.

*Ordered*, That a select committeee, consisting of Messrs. Corbett, Ogilvie, and Jones, prepare and bring in the 1st; the Committee on Corporate Institutions the 2d and 7th; the Committee on Circuit Courts the 3d and 16th; the Committee on County Courts the 4th and 9th; the Committee on Claims the 5th; the Committee on the Judiciary the 6th; the Committee on Religion the 8th; the Committee on Banks the 10th and 11th; the Committee on Railroads the 12th; the Committee on the Revised Statutes the 13th; and the Committee on Codes of Practice the 14th and 15th.

The hour of 11 o'clock, A. M., having arrived, the House, according to order, took up for further consideration a bill, entitled

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Mr. Bush then moved that said bill be referred to a committee of the whole House.

And the question being taken on the motion of Mr. Bush, it was decided in the affirmative.

And thereupon the House resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Davidson being called to, the Chair; and, after a time, the committee rose, the Speaker resumed the Chair, and Mr. Davidson, the Chairman, reported that the committee, having had the bill before named under consideration, but not having time to complete the same on this day, had risen and directed him to ask leave to sit again at 11 o'clock, A. M., to-morrow.

Which was granted.

Mr. Goodloe read and laid on the table the following preamble and joint resolutions, viz:

WHEREAS, An inscrutable Providence has removed from his usefulness on earth Robert J. Breckinridge, D. D., LL. D.; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That in the death of Dr. Breckinridge the church to which he belonged has lost one of its brightest and ablest ministers, the community a good and trusted member, the State one of her noblest and most honored sons, and the nation a talented and patriotic statesman.

2. That the deeds and example of a man so illustrious and eminent, and whose fame is commensurate only with the boundaries of

Christian civilization, will live vividly through ages to come; and, though no act of ours can add a moment to their longer perpetuation, yet, as an evidence of respect to the memory of the deceased, these resolutions are directed to be spread upon the Journals of the Senate and House of Representatives, and a copy of the same forwarded to the family of the deceased.

3. That, as a further mark of respect to the memory of the deceased, this House do now adjourn.

On motion of Mr. Goodloe, the rule requiring joint resolutions to lie one day on the table was suspended, and the said resolutions were then taken up, twice read, and adopted.

And then the House adjourned.

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## WEDNESDAY, JANUARY 10, 1872.

Mr. Deaderick presented the remonstrance of certain officers and citizens of Fayette county, against the passage of the bill now pending before this House to divide the county of Fayette into twenty magisterial districts.

Which was received, the reading dispensed with, and referred to the Committee on County Courts.

Mr. Corbett presented the following letter from J. D. Wilds to him upon the subject of teaching and changes in the common school laws, viz:

BLANDVILLE, KY., December 29th, 1871.

*Hon. Thomas H. Corbett:*

SIR: I cheerfully comply with your request to send you my views upon our Common School System, growing out of my experience, both as a teacher and Commissioner under that system; but in doing so, I will confine myself to the operation of the school law, as exemplified in the county, and will only say of the Superintendent, that if the law would provide that he should, in his own person, attend each County Teachers' Institute once in two years, I believe it would be of immeasurable advantage to the cause, by diffusing a greater interest throughout the county; it would make the teachers

and Commissioner more efficient; and, though the Superintendent might not come among us to hold an inquest or examining court upon the administration of the Commissioners, yet every malcontent in the county would rush up to the Superintendent with his complaint, and so every fraud, illegal act, and neglect of duty on the part of the Commissioner, would be ventilated. Commissioners would foresee this, and discharge their duties with more thought and more faithfully. This may consume too much of the Superintendent's time; if so, let him come once in three years; but do not allow him pay to send out deputies to the County Institutes. These deputies are irresponsible, unreliable persons; they act under no oath; can be chosen exclusively upon grounds of personal friendship, without merit; they wish to travel, and get their traveling expenses paid; and the people would not turn out to hear deputies, or lay in their complaints against the Commissioner.

We cannot overrate the importance of affording the people an opportunity to have their complaints heard by a tribunal acquainted with the law. What does our county court know of the law, or, indeed, anybody else in the county!

When the Superintendent attended our County Institute, we (teachers) would sit still and listen; would learn many new ideas. The next year, when he was absent, we (all the teachers of the county) would hold a family Institute, and with a year's study on these new ideas, and "nobody present but us," we would exchange views freely, and would, perhaps, be more benefited than if the Superintendent were here every year.

COMMISSIONER.

1. School law, article 4, section 1, should be amended by adding thereto, no person shall be eligible to the office of Commissioner till he shall have first obtained a first-class certificate from his county board of examiners, at some time since the new school law was enacted, and also have taught school (either subscription or common schools) not less than three sessions of five months each, the last of which sessions should have been taught within two years next preceding his application for certificate to become a candidate for Commissioner. A man who taught three sessions twenty years ago is not now up with the age, and ought not to have the direction of all the schools; and we cannot expect to have good schools unless we have able and experienced Commissioners. Just here let me say,

that no kind of legislation, nor any amount of pay or revenue, can ever make our common schools worthy of our State or the age, unless the law will guard the office of Commissioner against inefficient, worthless incumbents. We may always secure the very highest ability in the Superintendent; and he may always accurately inform the Legislature as to what is being done throughout the various counties; but he can never vitalize the schools, or improve what is being done in a county oppressed with the dead weight of an indifferent, or even an ignorant, Commissioner. The Commissioner does the work; the Superintendent merely reports in what manner that work has been done.

2. Article 4, section 6, school law, should be amended by striking out "visit each school district of his county at least once during the year," and insert, "visit each school at least twice during school year, and take charge of and teach each school the whole day on his first visit, and direct the operations, &c.; and on the second visit require him to stay at the school the whole day;" but leave him to his own discretion as to how he will "investigate" the operations of the school, and require him, on both occasions, to lecture the patrons and children. If the Commissioner has to teach in all the schools, he will take more pains to post himself, and many inefficient candidates will be deterred from running for the office; and to teach the school is the best way to ascertain the thoroughness of the teacher's work, and this will be an inducement for the teacher to be thorough. I have tried it, and teachers have told me they were ashamed of their schools in my hands, promised to be more thorough, and begged me to come back that I might commend their thoroughness next time.

3. Section 5 of the amendment to new school law, passed 13th March, 1871, should be so amended as to insert, "1st November," before the words January, April, and July.

4. Article 4, section 9, should be amended by inserting the word "alone" after the word "Commissioner," because we are forced to take for trustees many persons who are so ignorant they cannot understand the law; and when trustees have come to make their reports, they have rarely failed to ask for information as to their duties, and were surprised and alarmed to learn all the requirements of the law upon the trustees. Others denied the existence of the law till I showed it to them; and almost all of them would have totally failed in their duties but for the opportunities offered me, by swearing them to their reports, to interrogate and post them.

5. Article 4, section 12, merely requires the Commissioner to make a "settlement" with county judge concerning any devise or gift in aid of common schools, and should be so amended as to direct him, or leave him a discretion how to appropriate such devise or gift, in cases where the devisor or donor gives no special directions. As the law now stands, the Commissioner would be at a loss what to do.

6. Article 4, section 13, and section 1 of an amendment to said section 13, article 4, passed 13th March, 1871, ought to be so amended as to strike out of said amendment the words "1st and 20th of January and July," and insert "10th of February and August," because many of the teachers fail to come and get their money before the 20th of those months; and because that only gives the Commissioner ten days to send on his orders to Frankfort, get the drafts back, and then get the drafts cashed, which is too short a time; and, consequently, the Commissioner, when he comes to settle with the judge, has all the money in his hands, and the Commissioner cannot draw any of the one per cent. on money disbursed by him. In fact, has but little to settle for, and is kept out of his own wages six months longer.

7. Article 4, sections 8 and 13, differ. Section 8 gives the Commissioner 30 days, section 13 gives him 90 days, to pay out money. They ought both to be so amended as to read: "Pay out to those entitled on demand, made on or after 30 days from the time the Commissioner received, or ought to have received, the money;" and, for such failure, let him be fined in the same amount named in said section. But surely the law does not contemplate that the Commissioner must leave his office with the money and go all around the county and hunt up the teachers; but there ought to be a demand. Neither ought the Commissioner to be made liable to such heavy fines, and then be placed at the mercy of irregularity in the mails, and rascals; for if the demand were made on the next day after the Commissioner could ordinarily have received the draft, a little delay of the mail, and a rascal and enemy of the Commissioner, could make the demand and have the best Commissioner fined and disgraced. But give the Commissioner a living chance—30 days before he can be fined for not paying on demand, and then make him "toe the mark."

8. Article 4, section 14. The Commissioner ought to be required to be in his office every Saturday in the year, and also on the Friday before the 1st days of November, January, April, and July.

If the Commissioner is keeping up as much interest among the people on the school question as he ought, he will have plenty of business on nearly every one of those days; and then he ought to have so much business definitely prescribed that he will have but little time to spare to other vocations.

9. Article 4, section 18, ought to be amended by striking out the words "sufficiently examined," and insert the words: the Commissioner shall not give a certificate to any applicant whom he has not personally examined, and who, on such examination, failed to answer three fourths of the questions *correctly*, for a second-class certificate, and reads and spells well; and, for a first-class certificate, eight ninths of the questions. This would make clear the duty of the Commissioner to examine the applicant, where now, under the words "sufficiently examined," some Commissioners are satisfied by merely asking the applicant two or three commonplace questions about a horse or a farm, then give a first-class certificate without asking him a question in the books required to be taught in the school, or hearing him read. This law would help the Commissioner to do his duty without incurring reproach, as has been my lot in trying to do mine.

10. Article 4, section 2. Commissioners ought to be elected as now, by the court of claims, and not by the people. There is not enough money in the office for a man to spend two or three months in electioneering, nor would the people choose a more worthy man than the magistrates would. But the Commissioner ought not to go into office till the first day of the new school year. The present law of changing Commissioners during the year has a tendency of making both Commissioners neglect their duty; and what is two men's business is no man's business, and sometimes we are at a loss to know what proportion of the year's wages each should have.

11. There should be a Commissioner for each county, as at present. I know I have worked diligently on my school interests two thirds of my time, and if I had done every thing a good Commissioner ought to have done, and neglected nor postponed nothing, the other one third of my time could have been well put in. It is a penny-wise policy, and preposterous, to talk about one Commissioner discharging all the duties of his office for three or four counties, when the parents generally need more encouragement and instruction in their duties than the children do. My four thousand Ballard children are all I want, or could attend to.

12. The Commissioner ought to go into office on the first day of the new school year, and not in the middle of it.

13. Article 4, section 14. The Commissioner should be required to reside at the county seat, and should be prohibited from pursuing any other vocation, and be required to give his entire time and attention to the duties of his office, as is now the law in regard to Superintendents. Because, where the Commissioner is permitted to follow other avocations, as the chief source of his livelihood, he will always regard his official duties as an irksome form, satisfied with an indifferent compliance—he will have no soul in his official duties. The examination of teachers will be wholly inadequate, as well as of the schools. "We cannot serve two masters, but will hate the one and cling to the other." Always remember that the Commissioner does all the work, and the Superintendent merely reports how that work has been done.

14. The teacher of a common school is as much an officer of the State as is a Circuit Judge, and should be treated with as much respect at the school-house (whether on the play-ground, or in the school-house) as the judge is; and the Commissioner ought to be required to present to the Grand Jury any patron, or other person, who may go to the school-house and insult or abuse a teacher, or in any manner disturb a school. We now have a statute against disturbing public examinations; but, surely, it is not so productive of injury to disturb an examination, at the close of a session, as it is to have all the teacher's efforts and influence paralyzed and destroyed near the beginning of the session. I would not teach another day if I had to stand and take a cursing before my school; for I know I could not afterwards do any good without beating the children to all the work I got out of them; and, in that case, it would be said of me that "I could tyrannize over children, but ain't there when men come for me." Each person owes it to society not to break up the school for the whole neighborhood. Such an offense should be fined not less than fifty dollars, and for the second offense imprisoned not less than thirty days. If a man is outraged he can, by legal means, have the teacher dismissed, or he can flog the teacher on Saturday. This offense has been repeatedly committed in this county.

15. Article 4, section 23. The compensation of the Commissioner should be at least seven hundred dollars. The Commissioner, if he has a family, cannot live a year on less, and he must be enabled

to live on his salary before he will give his official duties that attention and interest which is indispensable to the effective direction and management of the schools. All over what is now drawn by the Commissioner of the county might be levied upon his county; but such county levy ought to be a preference claim, and to be paid the same year the services are rendered. The said amount is just barely enough to support a teacher when paid promptly; and what would a claim on Ballard county be worth to a Commissioner when he would have to wait four years for it? Just fifty cents on the dollar. The Commissioner, being forbidden all other vocations, must be paid promptly.

16. The Commissioner ought to be required to visit negro free schools, if the negroes should organize any such schools in his county, exclusively for negro children; and should be required to send to the Superintendent a separate census report of the negro children in his county, said report to be based upon a like separate report of the district trustees. If negroes must stay among us and vote, it is better to have them educated than remain in a forced ignorance and hostile to the whites; besides, they can, under the Federal laws, break up our white schools just whenever they please. One negro, determined to be educated, or acting under the malicious directions of a Yankee, could now, by a persistent application for admission to one free school after another, break up every school in the county; for teachers and trustees never know whether the negro resides in his district or not. The Legislature ought to make some provision to educate the negro separately from the white children; or far better, to expend the same amount of money in colonizing every Kentucky negro into the arms and family circles of the "man and brother," the Massachusetts Yankee, where the Yankee can give the negro the full benefit of his fostering care and his schools, so much better than any we can offer.

TEXT-BOOKS.

Article 2, sections 5 and 6, and section 17 of the instructions and information given by the State Board of Education. These ought to be made more definite. The State Board of Education ought to recommend three series of text-books, one of which series must be adopted and used in each county of the State; and when once adopted in a county, should be exclusively used for four years; and the county board of examiners should have the power to make the

selection from among those recommended by the State Board, and not leave a matter requiring so much study, and of so much importance, to the trustees, as has been done by the State Board; or better still, let the State Board adopt one series of text-books for the whole State, and for four years, and which shall not then be changed without six months' notice to the publishers and County Commissioners; and when the State Board of Education shall have examined the various series of school text-books, they should be required, out of the three best series of school-books, to give to that publishing company that would make the lowest bid the business of furnishing said books to all the schools in the Commonwealth for four years. I am satisfied that by this means we could save to the people of the State twenty-five per cent. on all their school books. This plan has been adopted by some of the States.

Article 5 should be amended by granting to every school district in the State the same privilege to vote a tax upon themselves that is now granted to Paducah, Lexington, and Louisville.

TRUSTEES.

Article 6, sections 1 and 2, should be amended by adding thereto that "no person shall be eligible to the office of trustee who cannot read and write, or who is not a man of sober, moral habits;" and the new trustees, though elected as now, on first Saturday of April, should not go into office until the first of July ensuing. We ought to have three trustees to the district, and not one, as is recommended by the Superintendent. The one trustee may be a person personally obnoxious to a number of persons in the district, who would therefore be deterred from sending to school. The one trustee might employ a teacher who was a friend, who was both a libertine and indolent, and give him all the recommendations as to moral character any Commissioner could require; and as the Commissioner only visits the school once during the session, and as such reports are generally mere rumor and hard to trace to reliable authority, and as the small attendance of children on that one day the Commissioner does attend, and the inaccuracy of his pupils in their studies, is sure to be attributed by such a teacher to the irregularity of the pupils' attendance, scarcely any Commissioner is willing to take the responsibility of dismissing the teacher, especially in the teeth of the fair statements of the trustee, and his express denial of all the charges.

Something must be done to secure a better class of trustees; or, indeed, that we may have any trustees. The labor and penalties affixed by the law to the office of trustee have already deprived the schools of the services of our best men, and next year, I very much fear, there are many districts in which we cannot find a single man willing to accept the office under the present law. Just let the Grand Jury find bills against half a dozen trustees for neglect of duty, and not another man would be willing to accept the office. We only have trustees now because they have been permitted to neglect their duties with impunity; and certainly we have no need of trustees unless they discharge their duties faithfully and efficiently. Trustees should be paid, or they should be compelled to serve, just as overseers of the road are; or, perhaps, they should be released from working the roads and serving on petit juries during their term of office.

Article 6, section 8. Out of what fund shall the trustees allow their collector of the teacher's subscription a "reasonable compensation?" If such allowance is to come out of the teacher's subscription, why not leave the whole matter with the teacher? If out of the trustees' own pockets, it is a great privilege, to say the least of it, and no other fund is provided.

Trustees should not receive the money, but it should be paid directly to the teacher by the Commissioner; and—since the 7th section of the amendment passed 13th March, 1871—so much will be due the county at one time, if the Auditor sends a single draft for the whole amount, the Commissioner cannot get it cashed by a merchant or the sheriff at par; but will be compelled to discount it in some bank, or send it back to Frankfort and get it there cashed at par; and by the delay thus occasioned will lose more than thirty days, and become liable for such delay. The Treasurer ought to be required to send the money itself to the Commissioner.

Article 6, section 7. Trustees should be required to give all the free-school money to the teacher; but might contract for more than a five months' school.

TEACHERS.

Article 7, sections 1, 2, and 3. The law relating to the examination and qualifications of teachers is second in importance only to the law concerning the Commissioner; and must be so definite and explicit as to preclude any evasion of it by the Commissioner, and

prevent the Commissioner from giving a certificate to any applicant until the Commissioner has personally examined the applicant, and required him to stand a thorough and approved examination on each and every book required to be taught in the common schools, according to a standard prescribed and fixed—definitely fixed—by the law.

Under the existing ignorance of the masses, the long years the schools have been oppressed and scourged with ignorant and imbecile teachers, and the consequent indifference of the people, and their want of faith in the schools ever furnishing the pupils with a true and practical knowledge and training, the cheapest teacher is, with the masses of both trustees and people, the best teacher, no regard whatever being paid to the ability or moral habits of the teacher. Out of the aforesaid indifference and ignorance of the people arises an almost universal public opinion and organized weight of opposition against any Commissioner who tries to raise the standard of scholarship for teachers, and make them more thorough and efficient.

I have endeavored to make the teachers of my county more thorough and efficient; and have always confined my questions to the books required by the law to be taught in the common schools, and to the most important principles of those books; and I know that the opposition is now so great, and, from the very nature of its cause, will continue to be so great, that not even able and conscientious Commissioners will be able to overcome it, unless they are backed by the plain letter of the law; and I know, further, that a heedless Commissioner, who uses the office merely to secure his own popularity, wants nothing better than for the law to be indefinite, to enable him to resign himself into the muddy current of popular opinion, and become a common plank among the driftwood, instead of being the head and helm to safely guide the whole crew upon a prosperous and glorious voyage. An unconcerned Commissioner will, if the law is indefinite, give any man a certificate, without an examination, merely upon the request and suggestion of the trustees that the man is competent to teach in their district. This has been the practice, and will continue to be until the law is made definite.

Article 7, section 1, makes the standard high enough for a first-class certificate, but ought to be made more definite by requiring that

a first-class certificate shall be issued only to those who have, on examination upon each and every book required to be taught in the common schools, shown a thorough and accurate knowledge thereof, which shall be tested by his having read well and answered correctly and accurately eight ninths of the questions propounded him.

The wording of the law in regard to second-class certificates just simply amounts to no law on the subject. Under that word "imperfect" knowledge, the greatest fool outside of the Lunatic Asylum may get a certificate. The standard for second-class ought to be fixed at three fourths of the questions answered correctly, and good reading.

Article 7, section 2. The county board of examiners should hold their sessions once each month for the first nine months of each school year. Said board should continue in session two days, and the time should be fixed by law, say third Friday and Saturday of each month. All examinations should be in writing, which is certainly the best test, and the fairest to the teacher, because it gives the teacher more time, and removes all causes of embarrassment.

Article 7, section 5. Teachers should be required to keep perfect order in the school-room, prohibit "loud studying" and whispering in school, and enforce such discipline as would be exercised by a judicious parent; and in no case should the teacher be permitted to resort to cruel or unusual punishment; and for every abuse of this discretion, the teacher ought to be dismissed, and forfeit thirty per cent. of his whole wages: the Commissioner to hold examining court and inquire into such abuse. The spirit of the age tends towards abolishing corporal punishment in the school. While I entirely concede that he is the best teacher who can secure perfect order in the school-room, and prompt, accurate, and thorough recitations every day, with the least amount of corporal punishment, my observation and experience demonstrates to me that not even good teachers can, under the existing general ignorance and indifference of the people, and their failure to co-operate with the teacher—nay, their frequent condemnation of the teacher in the presence of their children—enforce in their schools that prompt and respectful obedience, that orderly routine and thorough application, which characterizes all true training of the mind, without sometimes giving an additional persuasion to his arguments by a judicious use of the rod. Under the aforesaid parental influences, what folly to say to a school

of little children, on the first day of the session, you shall not be punished for any offense, however grievous, but will be expelled. What do such children care for expulsion; and the teacher will be glad to be rid of them.

"Diseases that are desperate grown
By desperate remedies are relieved, or not at all."

Expulsion does not remedy the evil of a little child's course, but rather hardens him in it.

TEACHERS' INSTITUTES.

Article 8, sections 1 and 2. The Commissioner should be required to hold a Teachers' Institute in his county every year, whether he receives any aid from the Superintendent or itinerant directors of Institutes or not. Such a law would make the Commissioner prepare himself better for conducting the Institute. The law ought to permit the Institute to be held in any month of the year, so that the Superintendent might visit every one in the State during his term. Teachers should be required to attend the full term of the Institute under pain of forfeiting their certificates, if already obtained, or of being prohibited from teaching in the common schools for one year, if they have not previously obtained certificates; and no excuse for such failure except unavoidable casualty.

There should be no examination of teachers during the Institute. It disarranges the whole morning exercises; and one hour is too short a time for a thorough examination in one book.

SCHOOL-HOUSES.

The act passed for the Eighth and Ninth Congressional Districts is indispensable to the success of the schools in our county; but we ought to have stoves instead of chimneys to our school-houses. We have but few carpenters and lumber patrons of our country districts, therefore we should be allowed to raise more of the cost of the school-house by tax. Trustees should have the power to condemn land for a school-house.

Respectfully, your friend,

J. D. WILDS,

*Common School Commissioner for Ballard County.*

Which was received, the reading dispensed with, and referred to the Committee on Education.

On motion of Mr. Corbett, the Public Printer was directed to print the usual number of copies thereof for the use of this House.

Mr. McElroy, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county;

An act to amend the charter of the town of Mayfield;

An act to better define the duties of overseers of public highways in Cumberland county;

An act to amend an act to protect small birds and game in the counties of Daviess and Lyon;

An act for the benefit of J. E. Cossen, H. G. Trimble, and E. D. Porch, of the county of Pulaski;

An act for the benefit of common school district No. 8, in Lewis county;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to revise and codify the charter of the city of Covington;

An act for the benefit of W. J. Lisle, administrator of Thomas W. Lisle;

An act for the benefit of Floyd county;

An act to increase the county levy of McLean county;

An act in relation to taxes for road purposes in Henderson county.

An act for the benefit of the town of Glasgow;

An act to amend an act, entitled "An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence," so as to extend the provisions of said act to the counties of Lyon and Trigg;

An act to amend the charter of the Owensboro and Russellville Railroad;

Resolution in relation to disposition of State's stock in certain railroad companies;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. McElroy inform the Senate thereof.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and

signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of school districts No. 8, fractional, and No. 51, in Hart county.

An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes.

An act to amend an act, entitled "An act to incorporate the West Paris Bridge Company," approved March 15, 1871.

An act to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15, 1871.

Resolution in relation to the funeral of Mrs. C. S. Morehead.

Resolution directing distribution of surplus fund in Bank of Kentucky.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to incorporate the Louisville Union Depot and Transfer Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Railroads.

On motion of Mr. Reeves, a committee, consisting of Messrs. Reeves, Cooper, and Clay, were appointed to wait upon the Senate and request to withdraw therefrom the announcement of the passage by this House of a bill, entitled

An act to amend the charter of the city of Hopkinsville.

Having discharged that duty, the committee returned and laid said bill on the Clerk's table.

The Speaker laid before the House the following communication in response to a resolution adopted on the 20th ult., viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., January 9, 1872.

HON. JAMES B. MCCREARY, *Speaker House Representatives:*

SIR: In obedience to the resolution adopted in the House of Representatives on the 20th ult., calling on me for information in regard to "the amount of money paid per annum by the State for public printing, and what has been paid for paper per annum furnished the Public Printer, since the first day of August, 1860; also the amount

paid by the State per annum for public binding since the same period, and the cost of the paper per annum furnished the Public Binder by the State within said time," I submit the annexed statement, giving all the information on these several matters at my command.

I will state, for further information, that, under the provisions of an act, entitled "An act in relation to the office of State Librarian," approved March 2, 1863, it is made the duty of that officer to purchase, and issue on requisition, all the stationery used by the State; so that there is nothing in this Department showing the cost or value of paper issued to the Public Printer or the Public Binder. (*See Myer's Supplement*, page 508.)

Previous to the passage of the act approved March 2, 1863, it was made the duty of the Auditor, under the provisions of section XXII, article II, of chapter V, of the Revised Statutes, to purchase and issue the public stationery; but it would be very difficult, if not impossible, for me to state, from any paper on record in this office, how much of the public stationery was issued either to the Public Printer or the Binder.

I have the honor to be,
Very respectfully,
Your obedient servant,
D. HOWARD SMITH, *Auditor.*

STATEMENT *showing amount paid by the State of Kentucky for public printing, paper for public printing, and public binding, from 1st August, 1860, to 1st January, 1872, viz:*

PUBLIC PRINTING.

| | |
|---|---|
| From 1st August, 1860, to 10th October, 1860 | $4,400 00 |
| From 11th October, 1860, to 10th October, 1861 | 21,200 00 |
| From 11th October, 1861, to 10th October, 1862 | 12,773 93 |
| From 11th October, 1862, to 10th October, 1863 | 13,330 33 |
| From 11th October, 1863, to 10th October, 1864 | 14,326 23 |
| From 11th October, 1864, to 10th October, 1865 | 14,914 89 |
| From 11th October, 1865, to 10th October, 1866 | 21,714 47 |
| From 11th October, 1866, to 10th October, 1867 | 32,259 43 |
| From 11th October, 1867, to 10th October, 1868 | 38,500 00 |
| From 11th October, 1868, to 10th October, 1869 | 21,973 71 |
| From 11th October, 1869, to 10th October, 1870 | 22,503 30 |
| From 11th October, 1870, to 10th October, 1871 | 21,248 87 |
| From 11th October, 1871, to 1st January, 1872 | 4,332 20 |
| Total paid for public printing | $243,477 36 |
| Amount carried forward | $243,477 36 |

| | | |
|---|---|---|
| Amount brought forward | | $243,477 36 |
| CREDIT. | | |
| By amount overpaid and refunded July 25, 1866 | $1,000 00 | |
| By amount overpaid and refunded December 26, 1868 | 66 50 | |
| By amount overpaid and refunded December 26, 1868 | 9,505 17 | |
| | | 10,571 67 |
| | | $232,905 69 |

## PAPER FOR PUBLIC PRINTING.

| | | |
|---|---|---|
| From 1st August, 1860, to 10th October, 1860 | $2,368 50 | |
| From 11th October, 1860, to 10th October, 1861 | 12,954 14 | |
| From 11th October, 1861, to 10th October, 1862 | 3,082 73 | |
| From 11th October, 1862, to 10th October, 1863 | 4,230 00 | |
| From 11th October, 1863, to 10th October, 1864 | 6,012 00 | |
| From 11th October, 1864, to 10th October, 1865 | 7,779 54 | |
| From 11th October, 1865, to 10th October, 1866 | 3,200 27 | |
| From 11th October, 1866, to 10th October, 1867 | 10,370 35 | |
| From 11th October, 1867, to 10th October, 1868 | 10,527 01 | |
| From 11th October, 1868, to 10th October, 1869 | 6,276 92 | |
| From 11th October, 1869, to 10th October, 1870 | 5,815 95 | |
| From 11th October, 1870, to 10th October, 1871 | 5,348 85 | |
| From 11th October, 1871, to 1st January, 1872 | 4,039 75 | |
| Total paid for paper for public printing | | $82,006 01 |
| CREDIT. | | |
| By amount sold April 9, 1863 | $600 00 | |
| By amount sold October 8, 1863 | 54 35 | |
| By amount refunded August 12, 1864 | 423 20 | |
| | | 1,077 55 |
| | | $80,928 46 |

## PUBLIC BINDING.

| | | |
|---|---|---|
| From 1st August, 1860, to 10th October, 1860 | $1,000 00 | |
| From 11th October, 1860, to 10th October, 1861 | 13,460 67 | |
| From 11th October, 1861, to 10th October, 1862 | 5,909 75 | |
| From 11th October, 1862, to 10th October, 1863 | 3,125 65 | |
| From 11th October, 1863, to 10th October, 1864 | 6,292 44 | |
| From 11th October, 1864, to 10th October, 1865 | 8,223 94 | |
| From 11th October, 1865, to 10th October, 1866 | 6,828 86 | |
| From 11th October, 1866, to 10th October, 1867 | 6,659 27 | |
| From 11th October, 1867, to 10th October, 1868 | 14,807 73 | |
| From 11th October, 1868, to 10th October, 1869 | 13,670 05 | |
| From 11th October, 1869, to 10th October, 1870 | 9,998 57 | |
| From 11th October, 1870, to 10th October, 1871 | 5,560 62 | |
| From 11th October, 1871, to 1st January, 1872 | 5,207 79 | |
| Total paid for public binding | | $100,745 34 |
| CREDIT. | | |
| By amount overpaid and refunded December 27, 1869 | | 178 20 |
| | | $100,567 14 |

RECAPITULATION.

| | |
|---|---|
| Amount paid for public printing | $232,905 69 |
| Amount paid for paper for public printing | 80,928 46 |
| Amount paid for public binding | 100,567 14 |
| Total amount paid | $414,401 29 |

Attest:

D. HOWARD SMITH, *Auditor.*

On motion of Mr. Todd,

*Ordered*, That said response be printed.

Mr. Graves offered the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That from and after the expiration of the terms for which the present Public Printer was elected, and that of Public Binder, shall expire, the Auditor of Public Accounts is hereby directed and required, in auditing the accounts of the Public Printer and Binder (yet to be elected), to deduct therefrom twenty per cent. from the present price authorized by law.

Mr. Chrisman offered the following resolution, viz:

*Resolved*, That the Public Binder of this Commonwealth be, and he is hereby, requested to furnish this House with the following information:

1st. As Public Binder, do you do the work yourself or do you sub-let it? If you sub-let, at what rate or price?

2d. What pay or compensation have you drawn from the Treasury of the State as Public Binder?

Mr. Blackburn read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Committee on Charitable Institutions of the House of Representatives, and the like committee of the Senate, be, and they are hereby, directed to proceed to visit the several charitable institutions of this Commonwealth, and examine into the present condition and management thereof; and they are hereby instructed to make a full and complete report of such visit of examination to their respective Houses within the next thirty days.

Mr. Graves read and laid on the table the following preamble and joint resolutions, viz:

WHEREAS, By orders of the Government of the United States, through the Commissioner of Internal Revenue, an officer of the Bureau of the Treasury Department, the distillers of the United States, and especially of Kentucky, were required to purchase the Tice metres at enormous expense; and whereas, the Tice metres proved to be utterly worthless, and of no account whatever, to test the flow of spirits from the worms of distilleries, either as to quantity or quality, so much so that the said metres could not be successfully

attached to the worms of distilleries, and only attempted in a few instances, where they invariably proved to be misereble failures, and in truth and in fact, long since abandoned by the government as worse than useless; and whereas, those distillers who were the most prompt to comply with the rulings of the Internal Revenue Bureau as aforesaid, have, it is believed, lost their money, which was unjustly and unconstitutionally extorted from them and paid over to the manufacturer of the Tice metres, by order of the Commissioner of Internal Revenue, approved by the Secretary of the Treasury; and whereas, a large sum has gone into the Treasury of the United States by virtue of its order to distillers, who were required to pay over the money as aforesaid, under the no less penalty than a stoppage or confiscation of their distilleries; and whereas, the principles of justice and moral right require that the Government of the United States should be just to that class of citizens who pay nearly one half of the revenue into the Treasury that is collected under and by virtue of its Internal Revenue system of taxation; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators in Congress be instructed, and our Representatives requested, to use all honorable means to have enacted a law, by which money thus wrongfully obtained from distillers, to have the same refunded to them at the earliest day practicable.

2. That our Senators be instructed, and our Representatives requested, to try to have the law of 1868, and all other laws and rulings of the Internal Revenue Bureau, so amended that a distiller shall only pay tax on the quantity of spirits actually produced; that the principle of making a manufacturer pay on distilled spirits never manufactured is no better than for the manufacturer not to pay on all the spirits really distilled; that fraud against the government, on the part of the manufacturer, in not paying tax upon all of the whiskies distilled by him, is wrong and unjust, and should be adequately punished; and for the government to cause the honest distiller to pay tax on spirits never produced is, in principle and justice, no better; and that appropriate legislation to correct this abuse is demanded by the best interest of the country.

Leave was given to bring in the following bills, viz:

On motion of Mr. Conrad—

1. A bill for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

On motion of Mr. Snyder—

2. A bill to authorize the county court of Hancock county to increase the county levy.

On motion of Mr. Combs—

3. A bill for the benefit of James Turner.

On motion of Mr. Arnold—

4. A bill for the benefit of W. R. Bradley, of Hickman county.

On motion of same—

5. A bill to incorporate Fulton Lodge, No. 83, I. O. O. F.

On motion of same—

6. A bill to incorporate the town of Fulton Station, in Fulton county.

On motion of same—

7. A bill to levy a special tax on school district No. 2, in Hickman county.

On motion of Mr. Woolfolk—

8. A bill to amend an act to incorporate the town of Earlington, in Hopkins county.

On motion of Mr. E. Polk Johnson—

9. A bill to regulate the taking of bonds in criminal cases.

On motion of same—

10. A bill to incorporate East Cedar Hill Institute, in Jefferson county.

On motion of Mr. W. H. Evans—

11. A bill to change the time of holding the quarterly courts of Knox county.

On motion of Mr. Cook—

12. A bill for the benefit of Mary W. Livingston, of Rockcastle county.

On motion of same—

13. A bill for the benefit of George W. McClure, of Rockcastle county.

On motion of same—

14. A bill to regulate the appointment of toll-gate keepers on the Wilderness Turnpike Road.

On motion of Mr. Carter—

15. A bill to declare Morgan's creek, in Lawrence county, a navigable stream.

On motion of Mr. Fitzpatrick—

16. A bill for the benefit of sundry citizens of Harlan, Letcher, and Perry counties, praying the establishment of a new county.

On motion of same—

17. A bill for the benefit of Thomas Hunt, of Pike county.

On motion of Mr. Varnon—

18. A bill to change the time of holding the county court of Lincoln county.

On motion of Mr. Sacksteder—

19. A bill to regulate the proceedings in courts of justices of the peace in Jefferson county and the city of Louisville.

On motion of same—

20. A bill to exempt the wages, salary, or pay of mechanics and laborers, in certain cases.

On motion of same—

21. A bill requiring the clerk of the Louisville chancery court to make a cross-index from the year 1862 to the present date, and to continue the same hereafter.

On motion of Mr. Carpenter—

22. A bill to amend the charter of the Western Insurance and Banking Company.

On motion of same—

23. A bill to charter the Kentucky Annual Conference of the Colored Methodist Episcopal Church in America.

On motion of Mr. Anderson—

24. A bill to amend the charter of the 2d German Protestant Benevolent Society, of Louisville.

On motion of same—

25. A bill to incorporate the German Roman Catholic St. Andrews Benevolent Society, of Louisville.

On motion of Mr. Speaker (McCreary)—

26. A bill to enable the county of Madison to subscribe to, and provide means for, an institution of learning in Richmond, Kentucky.

On motion of Mr. Dyer—

27. A bill to incorporate the Caseyville Deposit Bank, of Union county.

On motion of Mr. Blackburn—

28. A bill for the benefit of the Cleaveland Orphan Asylum, in Woodford county.

On motion of same—

29. A bill providing for the establishment of an inebriate asylum in this Commonwealth.

On motion of Mr. Ogilvie—

30. A bill to incorporate the Paducah and Woodville Gravel Road Company.

On motion of Mr. Graves—

31. A bill to amend the charter of Lebanon, Marion county.

On motion of same—

32. A bill to legalize the action of the Commissioners of the Sinking Fund of Marion county in relation to the sale of the Louisville and Nashville Railroad stock, and other matters pertaining thereto.

On motion of same—

33. A bill for the benefit of J. H. Kirk.

On motion of Mr. Allen—

34. A bill to enable Meade county to increase her county levy.

On motion of Mr. Flippin—

35. A bill to legalize stock marks in this Commonwealth.

On motion of Mr. Mynhier—

36. A bill to incorporate the town of Martinsburg, in Elliott county.

On motion of Mr. Moorman—

37. A bill for the benefit of R. D. Reynolds, of Muhlenburg county.

On motion of Mr. Tarlton—

38. A bill to incorporate the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

On motion of Mr. Threlkeld—

39. A bill to amend the charter of the town of New Liberty.

On motion of Mr. Deaderick—

40. A bill to amend the charter of the town of Catawba.

On motion of Mr. J. A. Bell—

41. A bill for the benefit of Mrs. Fannie Offutt Gaines.

On motion of Mr. Foree—

42. A bill to amend an act incorporating the Farmers' and Traders' Bank, of Shelbyville.

On motion of same—

43. A bill to amend an act to establish a graded school at St. James, late Shelby College, in Shelbyville.

On motion of same—

44. A bill to amend the charter of the town of Shelbyville.

On motion of Mr. Potter—

45. A bill for the benefit of John M. Elrod, of Warren county.

On motion of same—

46. A bill to authorize the county court of Warren county to sell the poor-house lands and reinvest proceeds in the purchase of other lands for the same purpose.

On motion of Mr. Chrisman—

47. A bill to extend the terms of the Wayne circuit court.

On motion of same—

48. A bill to amend and further define the duties of surveyors of this Commonwealth.

On motion of Mr. McAfee—

49. A bill to provide an alphabetical index to certain order-books of the Mercer county court.

On motion of same—

50. A bill to legalize certain orders of the Mercer county court.

On motion of same—

51. A bill for the benefit of the county officials of Mercer county.

On motion of Mr. Bascom—

52. A bill to amend the charter of the town of Frenchburg.

On motion of same—

53. A bill to incorporate the White Oak Turnpike Road Company, in Bath county.

On motion of Mr. Davidson—

54. A bill for the benefit of John G. Johns, of Floyd county.

On motion of Mr. Corbett—

55. A bill for the benefit of J. B. Ross, late sheriff of Ballard county.

On motion of Mr. Wright—

56. A bill to purchase from John P. Morton & Co., publishers, Louisville, copies of Newman's Treatise on Pleading and Practice under Kentucky Code.

On motion of same—

57. A bill to amend section 15, chapter 24, of the Revised Statutes.

On motion of Mr. Cooper—

58. A bill to regulate vaccination in this Commonwealth.

On motion of same—

59. A bill to repeal an act to establish an Agricultural College in Kentucky, approved February 22d, 1865.

On motion of Mr. Beckham—

60. A bill to incorporate the Simpson's Creek and Beech Fork Turnpike Road Company, in Nelson county.

On motion of Mr. F. A. Wilson—

61. A bill to incorporate the town of Kuttawa, in Lyon county.

On motion of Mr. Griffith—

62. A bill for the benefit of school district No. 28, in Daviess county.

On motion of Mr. Fish—

63. A bill to amend an act for the benefit of Boone county, approved March 17th, 1871.

On motion of same—

64. A bill to amend the charter of the Union and Richwood Turnpike Road Company.

On motion of Mr. Brooks—

65. A bill to indemnify the county court of Bullitt county for the support of lunatic paupers.

On motion of Mr. Bond—

66. A bill for the benefit of Wm. B. Black, of Anderson county.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st, 35th, 48th, 57th, and 58th; the Committee on County Courts the 2d, 11th, 18th, 49th, 50th, 63d, and 65th; the Committee on the Judiciary the 3d, 12th, 20th, 21st, 37th, 41st, 45th, 46th, 55th, and 56th; the Committee on Claims the 4th and 54th; the Committee on Corporate Institutions the 5th, 6th, 8th, 23d, 24th, 25th, 27th, 36th, 39th, 40th, 52d, 53d, and 61st; the Committee on Education the 7th, 10th, 26th, 43d, 59th, 62d, and 66th; the Committee on Codes of Practice the 9th and 19th; the Committee on Propositions and Grievances the 13th, 15th, 16th, 17th, 34th, and 51st; the Committee on Internal Improvement the 14th, 30th, 60th, and 64th; the Committee on Insurance the 22d; the Committee on Charitable Institutions the 28th and 29th; the Committee on Ways and Means the 32d and 33d; the Committee on Banks the 42d; the Committee on Circuit Courts the 47th; a select committee, consisting of Messrs. Graves, Bates, and Todd, the 31st; a select committee, consisting of Messrs. Brooks, Waide, and Foree, the 38th; and a select committee, consisting of Messrs. Jessee, E. Polk Johnson, and Brooks, the 44th.

The hour of 11 o'clock, A. M., having arrived, the House, according to order, again resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Davidson being called to, the Chair; and, after a time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Davidson, the Chairman, reported that the committee had had under consideration a bill, entitled "A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth;" but not having time to complete the same on this day, had risen and directed him to ask leave to sit again to-morrow at 11 o'clock, A. M.

Which was granted.

And then the House adjourned.

## FRIDAY, JANUARY 11, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Armstrong—

1. The petition of citizens of Mason and Bracken counties, praying for the passage of an act authorizing certain road taxes to be appropriated to the use of the Augusta and Minerva Turnpike Road Company, &c.

By Mr. Walker—

2. The petition of certain citizens of Lewis county, praying the passage of a certain amendment to the charter of the Vanceburg, Salt Lick, Tollsboro, and Maysville Turnpike Road Company.

By Mr. Moorman—

3. The petition of certain citizens of South Carrollton, praying the passage of an act to enable the trustees of said town to build a "lock-up" for the confinement of disorderly persons, and to appoint a special police when thought necessary.

By Mr. Bascom—

4. The petition of citizens of Bath county, praying for the passage of an act to increase turnpike tax on certain roads in said county.

By Mr. Sellers—

5. The petition of sundry citizens of Garrard county, praying the passage of an act to enable the county court of Garrard county to grant licenses to hotel-keepers in the town of Lancaster.

By Mr. Bates—

6. The petition of certain citizens of Barren county, praying for certain amendments to the tobacco inspection laws.

By Mr. Cooper—

7. The remonstrance of citizens of Mason and Fleming counties, against the passage of an act prohibiting the sale of intoxicating liquors within two miles of the Baptist Church in Lewisburg.

By Mr. Conrad—

8. The petition of certain citizens of Gallatin county, praying the passage of an act to compensate jurors for their services in inferior courts.

By Mr. Baker—

9. The petition of H. Clay White, clerk Kenton circuit court, and

Benj. Beall, clerk Campbell circuit court, praying that circuit clerks may be allowed compensation for services rendered in criminal cases.

By Mr. Nall—

10. The petition of citizens of the town of Sonora, praying for an amendment to the charter of said town.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Internal Improvement; the 3d and 8th to the Committee on the Revised Statutes; the 4th to the Committee on the Judiciary; the 5th and 10th to the Committee on Corporate Institutions; the 7th to the Committee on Religion; the 9th to the Committee on Circuit Courts; and the 6th to the select committee heretofore raised, to whom was referred a bill to repeal the tobacco inspection laws.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to re-enact an act, approved February 16, 1866, entitled "An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek."

An act for the benefit of the town of Hawesville.

An act for the benefit of the county of Nelson.

An act to legalize certain orders and proceedings of the Larue county court.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Michael Ryan, of Simpson county, and Major Fields, of Ballard county.

And that they had passed bills of the following titles, viz:

1. An act to amend an act to establish an additional voting precinct in Carter county, approved March 10, 1870.

2. An act to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company."

3. An act to incorporate the Ludlow and Pleasant Run Turnpike Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Privileges and Elections, and the 2d and 3d to the Committee on Corporate Institutions.

On motion of Mr. Corbett, leave of absence, indefinitely, was granted to Mr. Ogilvie.

On motion of Mr. Blackburn, leave was given to bring in a bill to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, &c.

*Ordered*, That the Committee on Railroads prepare and bring in the same.

Mr. Chrisman read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee of three from the House and two from the Senate be appointed to inquire into the expediency of reducing the compensation at present paid to the Public Printer and Public Binder, with power to send for persons and papers; and that they report by bill or otherwise on or before the 16th inst.

On motion of Mr. Chrisman, the rule requiring joint resolutions to lie one day on the table was suspended, the said resolution taken up, twice read, and adopted.

On motion of Mr. Graves, the House took up the joint preamble and resolutions offered by him on yesterday, entitled

Resolutions in relation to distilleries and the tax thereon.

Mr. W. Evans called for a division of the question, so as to take the sense of the House on the adoption of the preamble; but the Speaker held that the preamble and resolutions were not susceptible of division, and thereupon ruled the call of Mr. Evans to be out of order.

Mr. W. Evans then moved to amend the same by striking out the said preamble.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Evans and Baker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| Josiah H. Combs, | J. P. Hampton, | William Sellers, |
| R. D. Cook, | G. W. Little, | T. J. Walker, |
| Walter Evans, | J. A. McCampbell, | Jonas D. Wilson, |
| W. H. Evans, | Mat. Nunan, | J. N. Woods—16. |
| Manlius T. Flippin, | | |

Those who voted in the negative were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Julian N. Phelps, |
| Wm. A. Allen, | W. W. Deaderick, | Lewis Potter, |
| George W. Anderson, | John W. Dyer, | W. L. Reeves, |
| A. C. Armstrong, | M. Woods Ferguson, | E. A. Robertson, |
| A. S. Arnold, | T. S. Fish, | John Rowan, |
| W. W. Ayers, | James B. Fitzpatrick, | John P. Rowlett, |
| G. W. Bailey, | C. D. Foote, | J. P. Sacksteder, |
| Alpheus W. Bascom, | James Garnett, | J. R. Sanders, |
| W. R. Bates, | E. A. Graves, | Samuel M. Sanders, |
| W. N. Beckham, | C. P. Gray, | C. C. Scales, |
| John A. Bell, | Clinton Griffith, | James W. Snyder, |
| S. C. Bell, | Wm. A. Hoskins, | William Tarlton, |
| J. C. S. Blackburn, | George M. Jessee, | J. S. Taylor, |
| Church H. Blakey, | E. Polk Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | T. M. Johnson, | Harry I. Todd, |
| W. B. M Brooks, | T. J. Jones, | L. W. Trafton, |
| Robert M. Carlisle, | J. S. Lawson, | Joseph T. Tucker, |
| John S. Carpenter, | J. J. McAfee, | T. W. Varnon, |
| George Carter, | Bryan S. McClure, | E. F. Waide, |
| B. E. Casselly, | M. E. McKenzie, | J. L. Waring, |
| James S. Chrisman, | T. J. Megibben, | C. H. Webb, |
| C. M. Clay, jr., | J. C. Moorman, | J. M. White, |
| J. Guthrie Coke, | W. A. Morin, | F. A. Wilson, |
| Wm. G. Conrad, | Wm. Mynhier, | S. H. Woolfolk, |
| R. L. Cooper, | J. L. Nall, | J. M. Wright—76. |
| Thomas H. Corbett, | | |

Mr. Little then moved to refer the same to the Committee on Federal Relations.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said preamble and resolutions, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and W. Evans, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Mat. Nunan, |
| Wm. A. Allen, | W. W. Deaderick, | Julian N. Phelps, |
| George W. Anderson, | John W. Dyer, | Lewis Potter, |
| A. C. Armstrong, | M. Woods Ferguson, | W. L. Reeves, |
| A. S. Arnold, | T. S. Fish, | E. A. Robertson, |
| W. W. Ayers, | James B. Fitzpatrick, | John Rowan, |
| G. W. Bailey, | C. D. Foote, | John P. Rowlett, |
| W. R. Bates, | James Garnett, | J. P. Sacksteder, |
| W. N. Beckham, | E. A. Graves, | J. R. Sanders, |
| John A. Bell, | C. P. Gray, | Samuel M. Sanders, |
| S. C. Bell, | Clinton Griffith, | C. C. Scales, |

| | | |
|---|---|---|
| J. C. S. Blackburn, | Wm. A. Hoskins, | James W. Snyder, |
| Church H. Blakey, | George M. Jessee, | William Tarlton, |
| Wm. F. Bond, | E. Polk Johnson, | J. S. Taylor, |
| W. B. M. Brooks, | T. M. Johnson, | C. W. Threlkeld, |
| W. W. Bush, | T. J. Jones, | Harry I. Todd, |
| Robert M. Carlisle, | J. S. Lawson, | L. W. Trafton, |
| John S. Carpenter, | J. J. McAfee, | Joseph T. Tucker, |
| George Carter, | J. A. McCampbell, | T. W. Varnon, |
| B. E. Casselly, | Bryan S. McClure, | E. F. Waide, |
| James S. Chrisman, | M. E. McKenzie, | J. L. Waring, |
| C. M. Clay, jr., | T. J. Megibben, | C. H. Webb, |
| J. Guthrie Coke, | J. C. Moorman, | J. M. White, |
| William G. Conrad, | W. A. Morin, | F. A. Wilson, |
| R. L. Cooper, | Wm. Mynhier, | S. H. Woolfolk, |
| Thomas H. Corbett, | J. L. Nall, | J. M. Wright—78. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | Manlius T. Flippin, | Wm. Sellers, |
| Josiah H. Combs, | Wm. Cassius Goodloe, | T. J. Walker, |
| R. D. Cook, | J. P. Hampton, | Jonas D. Wilson, |
| Walter Evans, | G. W. Little, | J. N. Woods—14. |
| W. H. Evans, | Hiram S. Powell, | |

Mr. McAfee offered the following resolution, viz:

*Resolved*, That the use of the Hall of the House of Representatives be tendered to Captain John C. Brain on to-morrow night, January 12th, for the purpose of delivering an address.

Which was adopted.

Mr. Reeves moved to reconsider the vote by which this House passed a bill, entitled

An act to amend the charter of the city of Hopkinsville.

Mr. Varnon read and laid on the table the following resolution, viz:

*Resolved*, That the Commissioners of the Sinking Fund be, and they are hereby, requested to report to this House what dividend was declared by the Bank of Kentucky on the 1st Monday in January, 1872; and also whether or not said bank paid to said commissioners, or made any arrangements for paying to said commissioners, the State's interest in the surplus held by said bank over and above the amount required by their charter to be held by them, as said bank was directed to do by the resolutions of the General Assembly, approved by the Governor on 30th day of December, 1871, and by the 14th section of the act establishing said bank.

Which was adopted.

The hour of 11 o'clock, A. M., having arrived, the House, according to order, again resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Davidson being called to, the Chair; and, after a time spent therein,

the committee rose, the Speaker resumed the Chair, and Mr. Davidson, the Chairman, reported that the committee had had under consideration a bill, entitled "A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth;" and having completed the same, had risen, and directed him to report the same back to the House without amendment.

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow, at eleven o'clock, A. M.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act authorizing Mrs. Sally M. E. Pope to qualify as guardian for the children of Mary Lloyd Hartman.

On motion of Mr. Bush, the rule requiring its reference to a committee was suspended, the said bill taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Coke, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of the estate of Thos. H. Crawford,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

## FRIDAY, JANUARY 12, 1872.

The following petitions were presented, viz:

By Mr. Corbett—

1. The petition of certain citizens of Ballard county, praying to be attached to the county of Hickman.

By Mr. Coke—

2. The petition of the president and directors of the Louisville and Nashville Railroad Company, praying for certain amendments to the charter of said road.

By Mr. Gray—

3. The petition of citizens of Clinton county, praying the passage of an act to compensate E. G. Davidson for keeping a certain lunatic, and conveying the same to the Asylum.

By Mr. Garnett—

4. The petition of citizens of Glennville, Adair county, praying for an act of incorporation.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Railroads; the 3d to the Committee on Claims; and the 4th to the Committee on County Courts.

On motion of Mr. Garnett, he was discharged from further service on the Committee on Education.

And thereupon the Speaker appointed Mr. Carpenter to serve in his stead on said committee.

A message was received from the Senate, announcing that they had concurred in resolutions, which originated in the House of Representatives, entitled

Resolutions on the death of Rev. R. J. Breckinridge.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of James W. Lindon, late sheriff of Breathitt county.

That they had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of common school district No. 23, in Livingston county.

And that they had passed bills of the following titles, viz:

1. An act to declare Hood's Fork of Blain creek a navigable stream.

2. An act to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5, 1866, and the several acts amendatory thereof.

3. An act to amend section 112, chapter 1, title 6, of the Criminal Code of Practice.

4. An act authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads situated in said county.

5. An act requiring A. W. Blair, late sheriff of Nicholas county, to settle and pay over all public money in his hands.

6. An act for the benefit of Isabella Oxley, of Rowan county.

7. An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

8. An act to amend an act, entitled "An act to establish a colored school in the city of Henderson."

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Internal Improvement; the 2d, 4th, 5th, and 6th to the Committee on the Judiciary; the 3d to the Committee on Codes of Practice; the 7th to the Committee on the Revised Statutes; and the 8th to the Committee on Education.

Mr. McElroy, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time for holding the circuit courts in the 5th judicial district;

An act authorizing Mrs. Sally M. E. Pope to qualify as guardian for the children of Mary Lloyd Hartman;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to regulate sales made under decrees of the Barren circuit court;

An act for the benefit of Hopkins county;

An act to authorize the county court of Butler county to increase the county levy for county purposes;

An act for the benefit of B. K. Bethurum, late sheriff of Rockcastle county, and his sureties;

An act for the benefit of the Dix River and Lancaster Turnpike Road Company;

An act to authorize the county court of Menifee county to issue bonds to assist in building a court-house in said county;

An act to change the time of holding the court of claims of Madison county;

An act for the benefit and relief of Haywood Gilbert, former sheriff of Clay county, and his sureties, for the year 1869;

An act to amend the charter of the Paducah Gas-light Company;

An act for the benefit of Daniel Miller, late sheriff of Lincoln county;

Resolution directing the firing of salutes on the 8th of January and 22d of February, 1872;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. McElroy inform the Senate thereof.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of W. J. Lisle, administrator of Thomas W. Lisle

Resolution in relation to disposition of State's stock in certain railroad companies.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Fitzpatrick, from the Committee on Propositions and Grievances—

A bill for the benefit of Thomas Hunt, of Pike county.

By Mr. Davidson, from the same committee—

A bill to declare Morgan's creek, in Lawrence county, a navigable stream.

By Mr. Woolfolk, from the same committee—

A bill to authorize the county court of Meade county to make a levy and pay debts already contracted by said court.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to prevent deer-driving in Butler county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Powell offered an amendment thereto.

On motion of Mr. Bush, said bill and amendment were recommitted to the same committee.

Mr. Waring, from a majority of the Board to whom was referred the petitions, papers, &c., in the matter of the contest for a seat in this House between Messrs. Mordecai Williams and W. W. Culbertson, from the counties of Boyd and Carter and part of Elliott, made the following report, viz:

The undersigned, a majority of the Board to whom was referred the matter of the contest for a seat in this House between Messrs. Mordecai Williams and W. W. Culbertson, as the legally elected Representative from the counties of Boyd, Carter, and part of Eliott, respectfully report:

That they caused the parties to come before them, heard them and their counsel, as also the evidence and proof offered by each, and, on due consideration thereof, they are of opinion that Mordecai Williams received the highest number of legal votes cast at the last general election for Representative from the district aforesaid; that is to say, that Mordecai Williams received 1,504 (fifteen hundred and four) votes, and W. W. Culbertson received 1,500 (fifteen hundred votes), showing a majority, therefore, of votes for Mordecai Williams.

They return herewith to the House all the papers, proofs, and exhibits, had and used before the committee.

They therefore report, for the adoption of the House, the following resolution:

*Resolved*, That Mordecai Williams is the legally elected Representative to the House from the counties of Boyd, Carter, and part of Elliott, and that he be now permitted to qualify and take his seat as such.

J. L. WARING, *Chairman*,
A. W. BASCOM,
W. W. AYERS,
BRYAN S. McCLURE,
JOHN A. BELL,
WM. MYNHEIR,
J. L. NALL.

Mr. Little, from a minority of said Board, presented the following report, viz:

*To the Honorable House of Representatives:*

The undersigned, member of the Board selected and sworn to try a contested election supposed to be pending between W. W. Culbertson and Mordecai Williams, involving the right to a seat in this House as the Representative from Boyd and Carter counties, not being able to concur in the report of the majority of said Board, respectfully begs to present his views of the whole matter in the form of a minority report.

The State Constitution (section 24, article 8) declares that "the General Assembly *shall provide by law for the trial* of any contested election of Auditor, Register, Treasurer, Attorney General, Judges of the Circuit Court, and all other officers not otherwise herein specified.

Section 24, of article 3, provides for the trial of contested elections of Governor, &c., "*according to such regulations as may be established by law;*" and section 20, of article 2, reads as follows: "Each House of the General Assembly shall judge of the qualifications, elections, and returns of its members; *but a contested election shall be determined in such manner as shall be directed by law.*" It is believed that these are the only constitutional provisions on the subject; and they *evidently* require that *laws* shall be provided for the regulation of the trial of contested elections. It was meant that the rules governing such trials should be permanent and fixed, and not liable to be changed by the predominant partisan feeling of each Board, nor of each House of Representatives.

Pursuant to those constitutional requirements, the Legislature long since enacted *laws* for the regulation of such trials, and they are found prescribed in article 7, of chapter 32, Revised Statutes (1st Stanton, 443 to 448, inclusive). Those regulations are laws, and binding upon the Board sworn to try this cause.

Mr. Culbertson objected to *any* adjudication of this case by the Board upon the ground that the essential basis of their jurisdiction was lacking, viz: the *notice specifying the grounds of contest*, expressly required by the 5th section of said article (1st Stanton, 447).

No sort of notice of contest was given, and none could have been given, as Mr. Culbertson was not the officer returned (1st R. S., 447).

The undersigned agreed with Mr. Culbertson on this point, and thought a circuit court might as legally assume jurisdiction of a matter without any pleading being filed, and summons served, or notice given, as this Board could of this case without the service of the requisite notice.

*And the majority of the committee also actually agreed that they had no right to hear a contested election between the parties, but assumed the power to try something else.*

The undersigned thought that neither their oath nor the law required or permitted them to *make a case*, and then proceed to try it against the protest of a party interested. The duty of the Board was plain; and the order of this House appointing them (a copy of which is filed herewith as part hereof) not only prescribes the duty of the Board, but actually on its face refers to the provisions of the Revised Statutes under which the Board was to act.

The undersigned were clearly of the opinion that they were either a Board *to try a contested election* or *nothing*. If a Board to try a contested election, then, clearly, they could not proceed, because of the absence of the notice required; and if they were not a Board, the undersigned knows of no law or order of this House which fixes *what* they were. There is certainly nothing that gave the Board the right to determine the rights of any one *except in a contested election*. Although there was no notice and no law or order to authorize it, yet the Board permitted the introduction of proof *as to the merits* of the case. To this the undersigned could not agree for several reasons, viz: 1st, because the notice of contest was not given, as above stated; and 2d (so far as the depositions are concerned), because those depositions were taken before a contest was begun. It was thought by us that it was as widely variant from all rules of law to admit them, taken in the way they were, as to admit depositions taken before the suit is begun in our ordinary courts—a thing unheard of except in regard to certain cases providing for the taking of proof *de bene esse*, &c., which it is not pretended apply here.

I conclude that the Board had no right, either to hear evidence on the merits of the case, or to determine it; and that their whole action in the premises was superservicable, if not usurpation. Unless there *was a contested election being tried*, in the course of which a tie vote was found to exist, this Board had no authority to have a casting of lots to decide it, nor to take any other steps under subsection 8 of section 1 of said article 7. (1 R. S., 444.)

The fact is that this Board is not the proper tribunal to settle the difficulty between Messrs. Culbertson and Williams; and furthermore, it is perfectly apparent that there is just here a lapse in the law, a defect which the Board had no right to remedy by enacting a law to suit this case. No mode is provided *by* the statute to remedy the failure of the sheriffs to do their duty as prescribed by the statute. The courts of equity, however, give a remedy by mandamus, and that is the course that ought to have been followed by the parties interested in this case. That it would be proper, I refer to *Clark vs. McKenzie*, 7 *Bush*, 525; 29 *Illinois*, 414.

This Board was *selected to try a contested election*, and *not* to discharge a duty which the sheriffs of Boyd and Carter counties failed to perform.

I shall not elaborate the argument that by a proper construction of sections 1 and 3 of article 5, chapter 32, Revised Statutes, the *proper officers* never attempted to compare the certificates of the votes in said counties made by the proper examining boards. Only the sheriffs may properly do that; their deputies have no such authority given by law, nor can the authority given by those sections be delegated in any manner, except in writing. (Section 2, article 1, chapter 32, 1 R. S., 430, and section 6, article 6, chapter 32, 1 R. S., 442.)

In order that the House may see at once the force of the objections urged by me to the action of the Board, I copy a few clauses of section 5 of article 7, of the chapter of the Revised Statutes referred to. (1 R. S , 447.)

Section 5. *No application to contest the election of an officer shall be heard unless notice thereof in writing*, signed by the party contesting, *is given to the officer returned.*

1. The notice *shall state the grounds of contest, and none other shall afterwards be heard as coming from such party.* * * *

2. Immediately *after such notice*, either party may proceed to take proof by depositions, *under the same rules and regulations that govern the taking of depositions in chancery suits*, except that no dedimus is necessary.

4. *Such depositions, properly taken*, may * * * be read before the Board *having jurisdiction of the case.*

The undersigned cannot think that the functions of a Board to try a contested election are other than judicial, and hence I, in this investigation, have felt the binding force of the law made for their government, and have not felt willing to ignore the rights of Mr. Culbertson, as shown by that law.

In regard to the action of the two sheriffs, or rather of the sheriff of Carter county, and a deputy of the sheriff of Boyd, we remark that, it is plain, from the papers and proof heard (however inadmissible that proof was), that there was never any determination by lot, by the officers named, of the election of Representative from the two counties. The statements of the sheriff of Carter county, both in his testimony and in his certificate, show that to be the fact.

The sheriff of Carter, as required by law, on the proper day, went to the county seat of Boyd county, to join the sheriff of that county in the discharge of their duty, in comparing the certificates of the examining boards of the two counties, as to the number of votes for Representative cast in each. On the comparison of the certificates (with the poll-books the two sheriffs had nothing to do. 1 R. S., 437), it was found that both Culbertson and Williams had each received the highest, and an equal number of votes, at that election, for Representative.

It was then agreed between the sheriff of Carter and the deputy of the sheriff of Boyd to determine the election by lot, *and it was expressly agreed that he shoud be the winner whose name was first drawn twice from a hat* in which were placed slips of paper, some of them

having the name of one and some of them that of the other candidate on them.

When the drawing was about to take place, the sheriff of Carter county was moved by a very natural desire to see if the papers in the hat were all right, *for he had never seen them. To this the deputy sheriff of Boyd objected.* Nevertheless, the sheriff of Carter took one of the papers out of the hat and looked at it. It had on it the name of Williams. The sheriff swears that he didn't mean to make a draw. He certainly ought to know what his intention was better than any living man, and there is no sort of proof that he was not a credible witness. Soon after this, the deputy sheriff of Boyd drew twice out of the hat, and each time drew the name of Culbertson. So that it is clear that out of the three times that a draw was made Culbertson's name was twice drawn. From this it would seem obvious that Culbertson was entitled to the seat, if either of the gentlemen was; but the undersigned, in view of the confusion and evident misapprehension attending the supposed drawing, believe that, *in fairness*, no determination should be considered as having taken place.

For the information of the House, and for that purpose to be read with this report, the undersigned file, and make part hereof, the certificate of the sheriff of Carter county, and a copy of the certificate of the deputy sheriff of Boyd.

From these it appears, beyond doubt, that each party had received an equal number of the votes cast, and this brings me to the consideration of the most curious and inconsistent conduct of the majority of the Board. It is difficult to characterize that conduct otherwise.

*After they had decided that they could not try this case as a contested election, because no notice had been given; after they had for that reason refused to give any weight to the testimony of witnesses tending to prove that illegal votes had been cast for Mr. Culbertson; and after Mr. Senator Prichard, who acted as counsel before the Board for Mr. Williams, had admitted before them that they could not try this case as a contested election, then it was that a majority of said Board, assuming to itself unlimited power to ignore both the law and the rights of Mr. Culbertson, proceeded to hear proof in regard to the matters now to be developed.*

"THE COMMONWEALTH OF KENTUCKY, *sct.:*

"We, R. B. McCall, deputy sheriff, for John J. Kouns, sheriff of Boyd county, and Stephon Nethercutt, sheriff of Carter county, duly authorized to compare the election returns for the counties of Boyd and Carter, and for districts Nos. 3, 4, and 5, of Elliott county, being that part of said county taken from Carter county that votes with Carter and Boyd counties for Representative to the General Assembly, do certify that, at an election held in said counties, and said districts of Elliott county, on the 7th day of August, 1871, upon due comparison of the returns and certificates of said election, find that Mordecai Williams and W. W. Culbertson have received the highest and an equal number of votes for Representative to the General Assembly, viz: 1,504 votes each; and we have determined the same by

lot in the presence of more than three persons; and upon a fair and impartial ballot, in a manner agreed upon and determined by us, do certify that Mordecai Williams is duly elected to fill the office of Representative to the General Assembly of the Commonwealth of Kentucky.

"Given under our hands this 14th day of August, 1871.

"R. B. McCALL, Dep., for
"JOHN J. KOUNS, S. B. C."

"COMMONWEALTH OF KENTUCKY, BOYD COUNTY:

"We, R. B. McCall, deputy sheriff, for John J. Kouns, sheriff of Boyd county, and Stephen Nethercutt, sheriff of Carter county, Ky., duly authorized to compare the election returns for the counties of Boyd and Carter, and for districts Nos. 3, 4, and 5, of Elliott county, being that part of said county taken from Carter county, and that, according to an act of the last General Assembly, votes with Boyd county and Carter county for Representative to the General Assembly, do certify that, at an election held in said counties, and part of said Elliott county aforesaid, on the 7th day of August, 1871, upon due comparison of the returns and certificates of said election, we find that W. W. Culbertson and Mordecai Williams have each received the highest and an equal number of votes for Representative to the General Assembly of Kentucky, viz: W. W. Culbertson 1,504 (one thousand five hundred and four) votes, and Mordecai Williams 1,504 (one thousand five hundred and four) votes, each. We agreed to decide who was elected by lot, as follows: Four similar tickets were to be placed in a hat, on two of which said Culbertson's name should be written, and upon two said Williams' name should be written in like manner; the one whose name was drawn twice first should be the Representative. Nethercutt proposed that they blindfold a man, and let him draw after he, Nethercutt, had examined the tickets. Said Stephen Nethercutt then demanded, several times, permission to examine the tickets, which had been prepared in another room by another party, and was told each time by the party who prepared them, and said McCall, that he could see them after they were drawn. This Nethercutt declined, and then put his hand in the hat and picked up the ticket to examine it and see if it was fair, as he had said he wanted to. As soon as he picked it up R. B. McCall took it from his hand and unfolded it, and said it was for Williams, and that it was a draw. Sheriff Nethercutt said that it was not a draw; that he only wanted to look at the ticket to see if it was all right; and that he did not pick it up for the purpose of drawing. McCall insisted that he proceed. He said he would examine the tickets, and would draw, but would not be treated that way. They waited some time, Nethercutt wishing to examine the tickets and then draw, and McCall wishing the above to be counted a draw. Then McCall said: 'Captain Nethercutt, I will exhibit the tickets.' Nethercutt said he was wishing to draw fair, but would not agree to that way of drawing. McCall pulled out two more tickets, on each of which he said Culbertson's name was written.

This was in the presence of more than three persons; and if it amounted to a draw or decision by lot, we do hereby certify that Capt. W. W. Culbertson is duly elected to fill the office of Representative to the General Assembly of Kentucky from the said counties, and part of said county. If it did not amount to a draw, then we certify that it is a tie.

"Given under our hands this 14th day (being first Monday after the said election) of August, 1871.

"STEPHEN NETHERCUTT,
"*Sheriff of Carter county, Ky.*

"Sworn to and subscribed before me by Stephen Nethercutt, sheriff of Carter county, this 14th day of August, 1871.

"M. F. HAMPTON, D. C., for
"W. O. HAMPTON, C. B. C. C."

It was absolutely necessary, in order to arrive at the conclusion reached by the majority of the Board, that by some means one of the votes counted by the Examining Board for Culbertson should be in some way got off, *or else the tie would remain, and of course then neither party could be said to be entitled to the seat.*

The process by which the majority arrived at this result has the merit of the most conspicuous originality and novelty. It was briefly this: The editor of the Yeoman, in the city of Frankfort, as is the custom of editors in this State, sent a blank to the Carter county clerk, and asked him to send him a "statement of the polls." With this request the clerk complied, and sent to the editor such statement over his signature as clerk. This statement of the clerk to the "Yeoman" showed that Culbertson received one vote less than the official certificates of the election, signed by sworn officers in the discharge of their duty, showed him to have received.

It was hunted up by Mr. Williams, and the majority of this Board actually permitted it to be read as evidence in this case against the objection by Mr. Culbertson *that it was unofficial; that it was nothing more than a private correspondence between outside parties, and besides, contradicted positive, official, record testimony.*

Not unnaturally it was thought that this private newspaper correspondence between outsiders needed some corroboration, in order that it might secure the object sought, of stripping one vote from Culbertson's number, so that there might no longer be a tie.

This corroboration, which was deemed ample by the majority of the committee, was found in the statements of a man named Brown, examined as a witness. Brown, being of a statistical turn of mind, had looked over the poll-books in Carter county, and after making a calculation, had concluded that the clerk in his statement to the "Yeoman" was right, and that the examiners of the poll-books were wrong.

*The poll-books of Carter county were not before the Board at all at that time.* Brown had no duty to perform about the poll-books, but merely examined them for the purpose, doubtless, of statistical information; and yet he is allowed by the majority of the Board *to*

*come in, and in this manner contradict the record. He doesn't prove that an illegal vote was cast at that time;* but the majority of the committee, *instead of inspecting the poll-books, and seeing and deciding for themselves whether there was a correct count, permitted Brown to do it for them.*

It is believed that no record can anywhere be found of any tribunal, acting judicially, however humble its pretensions, where evidence like the above was admitted, or, if admitted, had any weight given to it.

If such ruling is upheld by this honorable House, what a wonderful vista is opened to the contemplation of the progressive judicial mind. But I cannot believe that the majority of this House will for a moment adhere to such rulings.

Mr. Culbertson, after these matters were admitted as evidence, earnesly desired that the Board grant him further time in which to rebut all proof of illegal voting, and all the tendencies against him of the letter to the Yeoman; and stated that he had sent for the clerk of Carter county and the poll-books in order that the Board might know that both the Yeoman's letter and Mr. Brown were mistaken, and that the poll-books themselves might be inspected.

The undersigned was clearly of opinion that this request should have been granted, but the majority of the Board decided otherwise.

*As both of the gentlemen received the same number of votes, I think one is just as much, and no more, entitled to the seat than is the other;* and my conclusion is, that, as neither party has asked for a mandamus to compel the sheriffs to act, as by law they ought to have done, *that the proper course is to declare a vacancy to exist; and I shall append a resolution to that effect*, which I ask the House to adopt.

The directory provision of the law, that the two sheriffs should meet between ten and twelve o'clock, didn't deprive them of the right to continue after twelve if necessary, and the mandamus might still have been sued out.

After the preparation of the foregoing, Mr. E. P. Davis, clerk of the Carter county court, whose presence Mr. Culbertson had desired, appeared before the committee, and brought with him the poll-books of Carter county, which were carefully examined by the committee, and it was found, by actual count, that Culbertson had received 734 votes in said county, although the certificate of the examining board showed only 733, while the letter of Mr. Davis to the Yeoman stated Culbertson's vote to have been only 732. As this showed Mr. Culbertson to have received a majority of one vote in the two counties, the undersigned now insisted that the majority of the committee were in fairness bound to report in favor of Culbertson, if their previous positions were sound and tenable; but the undersigned thinking they were not so, was still in favor of declaring that *no election had been perfected* in the counties, and that, consequently, a vacancy existed.

There was no sort of evidence of any thing wrong with the poll-books, and the clerk explained that the statement sent to the Yeoman had been made on a mistaken count.

This state of case having arisen, in order to enable the majority to come to the conclusion at which they have arrived, it became necessary for them to recur to the proof of supposed illegal votes for Culbertson, which Mr. Williams' counsel had admitted could not be done, if the board were to be governed by the rules regulating contested elections, though he stated at the time that the majority had decided not to be governed by said rules, and which, until this exigency, the majority of the committee had ignored. As it was understood and admitted that, had the report been made by the majority before the testimony of Mr. Davis had been heard, and when, after admitting the letter to the Yeoman as evidence, the majority had decided that Williams had a majority of one, nothing would have been said by them in their report about illegal votes; for then they would not have regarded it as necessary; but now it became necessary, in order, at all events, to report in favor of Williams, whom they determined to believe was entitled to the seat, to go back to the proof about illegal votes.

The undersigned, still believing that this Board had no right, or power, or authority from this House, or by law, to try the rights of these parties, or to determine by its vote who should represent the people of Boyd and Carter counties; and believing, in view of all the facts, that it was not competent for this committee to say that either Williams or Culbertson was entitled to the seat; and, as neither party had, by mandamus, compelled the proper officers to act, does now recommend to the House the adoption of the following resolution:

*Resolved*, That neither Mordecai Williams nor W. W. Culbertson appears to be entitled to a seat in this House; but that a vacancy exists in the office of Representative for Boyd and Carter counties.

And this is respectfully submited.

G. W. LITTLE.

*Ordered*, That the Public Printer forthwith print the usual number of copies of said reports; and that the further consideration thereof be postponed to, and made the special order of the day for, Tuesday, the 16th inst., at 11 o'clock, A. M.

The House then, according to order, at the hour of 11 o'clock, A. M, took up for further consideration a bill, entitled

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, It is represented to this General Assembly that Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, of the city of Cincinnati, in the State of Ohio, were appointed, under and by virtue of an act of the General Assembly of the said State of Ohio, passed on the fourth day of

May, in the year eighteen hundred and sixty-nine, a Board of Trustees, with authority to borrow a fund not to exceed ten millions of dollars, and to issue bonds therefor in the name of said city of Cincinnati, under the corporate seal thereof, of which said fund the said Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, and their successors, are to be trustees, with power to expend the same in procuring the right to construct, and in constructing, a single or double-track railway, with all the usual appendages, including a line of telegraph, between the said city of Cincinnati and the city of Chattanooga, in the State of Tennessee, to be called and known as the Cincinnati Southern Railway; and with power and capacity for the purposes aforesaid to make contracts, appoint, employ, and pay officers and agents, and to acquire, hold, and possess all the necessary real and personal property and franchises, either in the said State of Ohio or in any other State in which the said line of railway may extend, and with other powers in said act expressed; and whereas, the said line of railway cannot be constructed, nor the powers of the said Board of Trustees be exercised within the Commonwealth of Kentucky, without the consent of the General Assembly thereof. The General Assembly reserves the right to change, alter, or modify this act, and to regulate, by general laws, the rates of charges for the transportation of freights and passengers on said railway; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said Board of Trustees, namely: Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, and their successors, by the name of the Trustees of the Cincinnati Southern Railway, be, and they are hereby, authorized to extend, construct, and maintain, within the Commonwealth of Kentucky, the said line of railway, with a single or double track, with all the usual appendages, including a line of telegraph, and to exercise the powers vested in them under and by virtue of said act of the General Assembly of the State of Ohio, subject to the provisions and restrictions in this act provided.

§ 2. For the purpose of examining and surveying routes for the said line of railway, the said trustees may, subject to liability for the actual damage done, enter upon any land in the counties of Josh Bell, Knox, Whitley, Laurel, Clay, Owsley, Jackson, Estill, Madison, Clark, Bourbon, Harrison, Pendleton, Campbell, Kenton, Boone, Gallatin, Grant, Owen, Scott, Franklin, Anderson, Woodford, Fayette, Jessamine, Mercer, Garrard, Boyle, Lincoln, Rockcastle, Casey, Pulaski, Russell, Wayne, Clinton, Cumberland, Monroe, Metcalfe, and Adair, and select from the routes so examined and surveyed a route for the same, commencing at a point to be selected by the said trustees where the said line of railway will cross the southern boundary of this Commonwealth, and running through either of said counties to the northern boundary line thereof, and across the Ohio river, so as to connect with the same line of railway in the State of Ohio. A copy of the survey and location of such route, and any alteration therein, shall be filed in the county clerk's office of the

counties through which the said railway runs, within one year after such location or alteration.

§ 3. For the purpose of constructing and maintaining said line of railway and its appendages, the said trustees may acquire, by purchase or gift, so much land as may be necessary to construct, complete, and operate their railway and its appendages; and it shall be lawful for them to apply to any circuit or county court, of any county through which it may be proposed said railway may pass, and for said court to appoint a competent engineer, and two disinterested commissioners, to examine the proposed route of said railway, and to take from the proprietors of land over which it is to pass a grant of the right of way, of such width as may be desired, provided the same shall not exceed one hundred feet, and which may include the right to take stone, timber, earth, or gravel for the construction of their road; and they, jointly and severally, shall have the power and authority to take and certify, under their hands and seals, the acknowledgment of such grants in fee or right of way, and the separate acknowledgment of married women, that the clerks of the several county courts have; and on the presentation of the grant and acknowledgment to the clerk of the county court where the land lies, it shall be the duty of the clerk to record the same as other deeds; and they shall be effectual against all persons according to their tenor: *Provided*, That where the parties are infants, or absent, or refuse to make the grant, they shall hear any proof that may be adduced, and upon their own view proceed to value any land required for the right of way, or lands required for turn-outs or depot stations, or other appendages of said road, and also of earth, stone, gravel, or timber for the construction of said road, and report the value they have fixed, together with the evidence adduced, to the court appointing them, with a map or profile of the required ground; and said report shall be filed with the clerk of such court, and a summons issued to the proprietors to show cause against the confirmation of the report; but if the proprietor shall be out of the Commonwealth, the summons may be executed upon a known agent, if there be one in the county; and if there be no known agent in the county, then the court may order the appearance of the party at a named day, and appoint the clerk to give the proprietor notice by letter; and in case of there being infant, idiot, or lunatic proprietors, the court shall appoint *guardians ad litem* for them, and cause the guardian to appear and act for them; and in case an absent defendant does not appear, the court shall appoint an attorney of the court to act for them. It shall be lawful for the trustees or any proprietor, or both, to traverse the report, and for the court to have the traverse tried in open court by a competent jury, on which trial the report and evidence returned as aforesaid shall be heard, together with such other proof as either party may produce. A new trial to the finding of the jury may be granted as in other cases. The report shall stand for hearing, as to any proprietor, when the process has been executed ten days, or after appearance of a proprietor on a day fixed for his appearance; and the court shall have jurisdiction to confirm the report, if no traverse is filed; and in case a traverse is filed, to have

the same tried by a jury, and to give judgment upon the report or finding of the jury, and order the payment of the money, and the execution of the grant in accordance with the report; and to have the grant executed by a commissioner appointed by the court, and to order them to be recorded in the county court clerk's office of the county; and either party may appeal from the judgment of the court.

§ 4. That the commissioners or jury, in estimating the value of the lands proposed to be taken, shall not be confined to the actual value, but may take into consideration any consequential damage that may result to the adjoining proprietors of the land taken, and also the advantages and disadvantages the proposed road will be to such lands.

§ 5. That upon the affidavit of the engineer of said trustees, made and filed before the county judge of any county through which the proposed road may pass, that at any point more than one hundred feet is necessary properly to construct and operate said road, said trustees may acquire the right to so much land as may be necessary for that purpose, and in the manner provided in the preceding section

§ 6. The said trustees may also, for the purpose of constructing and maintaining said line of railway, occupy or use any turnpike or plank road, street or other public way or ground, or any part thereof, upon such terms and conditions as may be agreed upon between said trustees and the municipal or other corporations, persons, or public authorities owning or having charge thereof; and in case it shall be necessary to provide a new road, street, or other ground, in place of that so used or occupied, they may acquire the necessary land and cause the necessary improvement to be made thereon. If no agreement can be made for the right to use or occupy any road, street, or ground that may be necessary, the said trustees may take and appropriate said rights in the manner provided in the next section: *Provided*, That, before the damages are assessed, the court may fix such terms and conditions as may be deemed best for the public interest.

§ 7. The appropriations authorized in the preceding section shall be made in the manner, and subject to the same right of traverse, writ of error, and appeal, provided by law for taking private property for the use of turnpike and plank road companies, except that the petition shall be filed in the circuit court of the county in which such turnpike, plank roads, streets, or other public ways or grounds, may lie; and if a continuous portion of the same, lying in more than one county, is sought to be used or occupied, the proceedings may be instituted in the circuit court of any county in which any part of such continuous portion may lie; and the damages shall be assessed for the whole of such portion, whether lying in the county wherein the proceedings are instituted or in other counties; the writ shall be directed to the sheriff of the county in which the petition is filed.

§ 8. If, during the construction or after the completion of said line of railway, it shall be found necessary by said trustees to change the

location or grade, or substitute other works or conveniences for those originally designed or constructed, or to provide additional side-tracks or other appendages for the proper management and operation of said railway, the said trustees may make such changes and provide such additional appendages, not departing from the general route originally selected by them; and, for the purpose aforesaid, may acquire or enter upon, take and appropriate, such lands or rights, as may be necessary, in the mode hereinbefore prescribed.

§ 9. Wherever, along the route selected by said trustees, there shall be a railroad already constructed, or rights of way or depot or other grounds acquired therefor, which railroad, rights of way or grounds, can be adopted as part of the said line, it shall be lawful for the persons, company, or corporations owning the same, to sell to the said trustees the said railroad, rights of way or grounds, or any part thereof, upon such terms and conditions as may be agreed upon between the said trustees and such persons, or the president and directors of such company or corporation: *Provided*, That no such agreement shall be binding upon the stockholders of any such company or corporation unless a majority in interest of said stockholders, as shown by the books of such company or corporation, shall ratify the same in person or by proxy, at a meeting to be held at the place of holding the election of directors, to be called after notice given of the object of the meeting, in the manner provided for notice of such elections.

§ 10. No permanent bridge or other work shall be so constructed as to materially interrupt or impair the navigation of such streams as are naturally navigable, or as have been declared to be so by law.

§ 11. And whereas, under and by virtue of the above mentioned act of the General Assembly of Ohio, the said board of trustees have power to borrow a fund for the construction of said line of railway, not to exceed ten millions of dollars, and to issue bonds therefor in the name of the city of Cincinnati, under the corporate seal thereof, bearing interest at a rate not to exceed seven and three tenths per centum per annum, payable at such times and places and in such sums as shall be deemed best by said board; which bonds are to be signed by the president of said board, and attested by the city auditor of said city, who is to keep a register of the same, and are to be secured by a mortgage on the said line of railway and its net income, and by the pledge of the faith of said city and a tax, which it is made the duty by said act of the council of said city annually to levy, sufficient, with said net income, to pay the interest, and provide a sinking fund for the final redemption of said bonds. That the respective holders of all such bonds are hereby declared to be entitled to hold, by way of mortgage, without any conveyance, the said line of railway and its appendages, and the net income thereof, and all the estate, right, and title, and interest of the said city of Cincinnati, and of the said board of trustees therein, until the respective sums mentioned in said bonds, and the interest thereon, shall be fully paid, without any preference one above another, by reason of priority of date of any such bonds, or of the time when such holder became the owner of the same, or otherwise howsoever.

The mortgage lien hereby given is to vest, as soon as rights of way or lands, whereon are to be placed the works and conveniences used in constructing, maintaining, or operating said railway, are acquired or taken, by virtue of the powers of the said trustees: *Provided*, That nothing herein contained shall affect the lien of any vendor upon lands sold to said trustees, nor to be held to include the rolling stock used in operating said road: *And provided further*, That any mortgage that may be made by any lessee or lessees of said line of railway, or persons or company operating it, on the rolling stock used in operating said road, shall not have precedence over, but shall be at all times inferior in priority to, judgments that may be obtained against them, in any county through which said road may run, for wages, materials, and supplies in running said road; for damages for breaches of contracts of affreightment, for injury, loss, or destruction of any property put on the cars on said road for transportation, or for any injury to persons or property occasioned in the running of said road.

§ 12. Said trustees shall survey and locate the route of said line of railway, and actually commence the construction thereof, within two years from the passage of this act; and shall continue such construction and complete the work within five years from its commencement, or within such further reasonable period, not exceeding ten years in all, as the Governor may grant upon satisfactory evidence that they are progressing with due diligence and in good faith. The gauge of said railway shall be five feet.

§ 13. The charge for transportation on said railway shall not exceed thirty-five cents per hundred pounds on heavy articles, and ten cents per cubic foot on articles of measurement for every hundred miles, and four cents a mile for every passenger.

§ 14. The taxes imposed on said line of railway and its appendages shall not exceed the rate imposed on other railroads within this State.

§ 15. The said trustees may sue and be sued, contract and take and hold property, and convey and transfer the same, by the name of the "Trustees of the Cincinnati Southern Railway." Conveyances by said trustees shall be signed by not less than three of them. They shall keep an office and an agent in the city of Covington, and an agent in every county through which said railway runs, upon whom service of process may be made. Actions against them or against the lessee or lessees of said line of railway, or persons or company operating it, other than those mentioned in sections ninety-three and ninety-four of the Code of Practice in Civil Cases, may be brought in any county in which any part of said railway lies. When an action is rightly brought in any county, process may be issued to the county in which the office of the trustee is situate, and may be sent and returned by mail. And it is hereby made a condition upon which said trustees construct and maintain said railway within this Commonwealth, that they thereby waive the right to remove any case from any of the courts of this State to any of the courts of the United States, or to bring a suit in any of the courts of the United States against any citizen of this State; and a violation of this con-

dition shall operate as a forfeiture of the rights, privileges, and immunities granted in this act.

§ 16. The persons or company operating said railway, or any part thereof, as lessee or otherwise, shall receive and carry all passengers and freight coming or brought to it or them to be carried; and they shall make no discrimination against citizens of Kentucky in carrying freight or passengers on said line of railway, or any part thereof; nor shall they make any unjust discrimination in favor of through freights or passengers against any way freights or passengers, or against freights or passengers from other railroads connecting with said railway in this State; but they shall charge and receive only the same, and no more, for the same services in transporting freight or passengers going to or coming from one connecting road, that they charge or receive upon those going to or coming from any other. They shall keep an office and agent at some point along the line within this Commonwealth, and an agent in every county therein through which said railway runs, upon whom service of process may be made; and it is hereby made a condition upon which such persons or company may lease said railway, or any part thereof, or make any arrngement for operating the same, that such persons or company thereby waive the right to remove any case from any of the courts of this State to any of the courts of the United States, or to bring a suit in any of the courts of the United States against any citizen of this State; and a violation of such condition shall operate as a forfeiture of all rights acquired under such lease or arrangement; which forfeiture, and the other provisions of this section, this Commonwealth reserves the right to enforce by all necessary remedies and additional legislation.

§ 17. That the rights, privileges, and immunities granted by this act shall continue for, and during the period of, ninety-nine years, and not longer; and shall, during that time, be subject to be declared forfeited by any court of competent jurisdiction, by an action instituted by the direction of the General Assembly in the name of the Commonwealth, for any failure on the part of said trustees, their successors or assigns, to comply with the terms, stipulations, and obligations imposed herein for the benefit and security of this Commonwealth or the people thereof; and before entering on any lands in this State, said trustees shall accept the provisions of the act.

§ 18. The following words and expressions in this act shall have the several meanings hereby assigned to them, unless there be something in the context repugnant to such construction: that is to say, the word "lands" shall include not only lands and every estate therein, but also easements and franchises connected therewith. The word "trustees" shall mean the trustees for the time being appointed under the said act of the General Assembly of the State of Ohio, and shall include the said board of trustees and their successors. The expression "line of railway and its appendages" shall extend to and include the works and conveniences of the said railway, such as offices, stations, shops, sheds, depots, car-houses, and other buildings, bridges, viaducts, tunnels, arches, piers, abutments, embankments, approaches, ways, aqueducts, culverts, sewers, drains,

wharves, yards, fences, telegraph posts and wires, tracks, turn-outs, and turn-tables, and the rights of way and lands belonging to said trustees, whereon the said and other like works and conveniencies used in constructing, maintaining, or operating said railway are placed. The expression "Act of the General Assembly of the State of Ohio" shall mean the act of the General Assembly of the State of Ohio, entitled "An act relating to the cities of the first class, having a population exceeding one hundred and fifty thousand inhabitants," passed on the 4th day of May, in the year 1869. The expression "line of railway" shall mean the line of railway between the city of Cincinnati, in the State of Ohio, and the city of Chattanooga, in the State of Tennessee.

§ 19. The General Assembly hereby reserves the right to alter, amend, or repeal this act, as provided in an act, entitled "An act reserving power to amend or repeal charters and other laws," approved February 14, 1856.

§ 20. That this act shall take effect from and after its passage.

After discussion thereon for a time, on motion of Mr. Waide, the further consideration of said bill was postponed to, and made the special order of the day for, to-morrow, at half-past ten o'clock, A. M.

And then the House adjourned.

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## SATURDAY, JANUARY 13, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Waring—

1. The petition of certain citizens of Greenup county, praying for the passage of an act prohibiting the vote of the people to be taken on the subscription of stock in a railway corporation without the concurrence of a majority of the justices, and to secure such stock, when voted, from sale or mortgage by said railway company.

By Mr. Arnold—

2. The petition of citizens of the town of Fulton, in Fulton county, praying for an act of incorporation.

By Mr. Moorman—

3. The petition of the clerks of the Kenton and Breckinridge circuit

courts, praying that compensation may be allowed clerks for their services in criminal cases.

By Mr. Deaderick—

4. The petition of citizens of Boston Station, Pendleton county, praying for an act of incorporation.

By Mr. Walker—

5. The petition of certain citizens of Lewis county, praying for an act of incorporation for a certain proposed turnpike road.

By Mr. Woolfolk—

6. The petition of the stockholders of the Providence Mining and Manufacturing Company, praying the repeal of the act of incorporation.

By Mr. Rowlett—

7. The petition of the justices of the county court of Hart county, praying the repeal of an act of the last session authorizing said court to appoint a commissioner to audit the claims against said county.

By Mr. McAfee—

8. The remonstrance of the board of trustees, of one hundred and thirty-nine white voters, of seventy-five colored voters, and of one hundred and fifty ladies, of the town of Harrodsburg, against the repeal of the law prohibiting the sale of spirituous liquors in said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Railroads; the 2d, 4th, and 6th to the Committee on Corporate Institutions; the 3d to the Committee on Circuit Courts; the 5th to the Committee on Internal Improvement; the 7th to the Committee on County Courts; and the 8th to the Committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, entitled

Resolution in regard to Public Printer and Public Binder.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Lewis S. Lee, late sheriff of Ballard county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Wm. McMurtry, of Monroe county.

An act to authorize a committee appointed by the Kenton county court of claims to sell the poor-house farm of said county.

An act authorizing the clerk of the Fleming county court to make up and correct omissions in the records of said court.

That they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to protect small birds and game in the counties of Daviess and Lyon.

An act to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county.

An act for the benefit of J. E. Cossen, H. G. Trimble, and E. D. Porch, of the county of Pulaski.

An act to better define the duties of overseers of public highways in Cumberland county.

An act for the benefit of common school district No. 8, in Lewis county.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, railroad, and insurance companies," approved March 15, 1871.

2. An act to amend an act, entitled, "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

3. An act to regulate foreign corporations engaged in operating railroads in the State of Kentucky.

4. An act to amend the charter of the town of Mayfield.

5. An act authorizing the clerk of the Nelson county court to make a cross-index to deeds in his office, and transcribe the marriage register in said office.

6. An act to punish trespasses on inclosed lands in Nicholas county.

7. An act to amend section 4, of article 2, of chapter 83, of the Revised Statutes, regulating tax on theatrical performances.

8. An act to amend the charter of Augusta, in Bracken county.

9. An act for the benefit of Irvin W. Bowman, late deputy sheriff of Bracken county.

10. An act to incorporate the Louisville Car Wheel and Railway Supply Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st, 2d, 5th, 6th, and 9th to the Committee on the Judiciary; the 3d to the Committee on Railroads; the 4th, 8th, and 10th to the Committee on Corporate Institutions; and the 7th to the Committee on the Revised Statutes.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act for the benefit of the estate of Thos. H. Crawford;

And also an enrolled bill and resolutions, which originated in the House of Representatives, of the following titles, viz:

Resolutions on the death of Rev. R. J. Breckinridge;

An act for the benefit of common school district No. 23, in Livingston county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

On motion of Mr. Graves, the House took up, according to order, for further consideration, a bill, entitled

A bill to provide for the existing deficit in the Treasury.

Mr. Graves offered an amendment thereto.

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of providing the means to supply the existing deficit in the Treasury of the State, it shall and may be lawful for the Governor to borrow, for and on behalf of the Commonwealth, from any bank, banking association, corporation, or private individuals, any sum of money, not exceeding in the aggregate five hundred thousand dollars, which shall be appropriated to the object above mentioned, and no other.

§ 2. That the loan authorized by this act shall not be for a longer period than five years, nor less than one year, the State reserving to itself the right, at its option, at any time after one year after the date of said loan, to redeem the bonds which may be issued therefor at par value.

§ 3. The Governor, for the money which he may borrow under the provisions of this act, shall issue and deliver to the lender the bond or

bonds of the State, payable to him or bearer, bearing interest at a rate not exceeding eight per cent. per annum, payable semi-aanually, on the first Mondays in January and July, at the Bank of America, in the city of New York, or other place, as the Governor may contract. For the semi-annual interest, proper coupons shall be attached to the bonds so issued, signed by the Secretary of State; and the principal and interest of said bonds shall be a charge upon the Sinking Fund of the State.

§ 4. An accurate register of the sum or sums of money borrowed under the provisions of this act, the date of the loan, the name of the lender, and the amount loaned by him, together with the date, number, and amount of each bond which may be issued for said loans, and when due, shall be kept in the office of the Secretary of State, duplicates of which shall be filed and faithfully preserved in the office of the Auditor of Public Accounts.

§ 5 The bonds issued under the authority of this act shall pass by delivery, and without written assignment thereon.

§ 6. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Bush, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Julian N. Phelps, |
| Wm. A. Allen, | Joseph M. Davidson, | Lewis Potter, |
| George W. Anderson, | W. W. Deaderick, | W. L. Reeves, |
| A. C. Armstrong, | John W. Dyer, | E. A. Robertson, |
| A. S. Arnold, | M. Woods Ferguson, | John Rowan, |
| W. W. Ayers, | T. S Fish, | John P. Rowlett, |
| G. W. Bailey, | C. D. Foote, | J. P. Sacksteder, |
| Alpheus W. Bascom, | Joseph P. Foree, | J. R. Sanders, |
| W. R. Bates, | E. A. Graves, | Samuel M. Sanders, |
| W. N. Beckham, | C. P. Gray, | C. C. Scales, |
| John A. Bell, | Clinton Griffith, | James W. Snyder, |
| S. C. Bell, | J. P. Hampton, | William Tarlton, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | J. S Taylor, |
| Church H. Blakey, | George M. Jessee, | C. W. Threlkeld, |
| Wm. F. Bond, | E. Polk Johnson, | Harry I. Todd, |
| W. B. M Brooks, | T. M. Johnson, | L. W. Trafton, |
| W. W. Bush, | T. J. Jones, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. S. Lawson, | T. W. Varnon, |
| John S. Carpenter, | J. J. McAfee, | E. F. Waide, |
| George Carter, | Bryan S. McClure, | T. J. Walker, |
| B. E. Casselly, | William J. McElroy, | J. L. Waring, |
| James S. Chrisman, | M. E. McKenzie, | C. H. Webb, |
| C. M. Clay, jr., | T. J. Megibben, | J. M. White, |
| J. Guthrie Coke, | J. C. Moorman, | F. A. Wilson, |
| Josiah H. Combs, | W. A. Morin, | J. N. Woods, |
| Wm. G. Conrad, | Wm. Mynhier, | S. H. Woolfolk, |

R. L. Cooper, J. L. Nall, J. M. Wright—82.
Thomas H. Corbett, John W. Ogilvie,

Those who voted in the negative were—

R. D. Cook, Hiram S. Powell, Jonas D. Wilson—4.
Manlius T. Flippin,

*Resolved*, That the title of said bill be as aforesaid.

Mr. Davidson moved to reconsider the vote by which said bill was passed.

Mr. Chrisman moved to lay the motion of Mr. Davidson on the table.

And the question being taken thereon, it was decided in the affirmative.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Morin, from the Committee on Education—

A bill to enable the county of Madison to subscribe to, and to provide means for, an institution of learning in Richmond.

By Mr. Baker, from the Committee on Circuit Courts—

A bill to change the time of holding the court of common pleas in Ballard county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, leave of absence, indefinitely, was granted to Mr. Foree.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to regulate sales made under decrees of the Barren circuit court.

An act to authorize the county court of Butler county to increase the county levy for county purposes.

An act to amend the charter of the Paducah Gas-light Company.

An act to authorize the county court of Menifee county to issue bonds to assist in building a court-house in said county.

An act for the benefit of Daniel Miller, late sheriff of Lincoln county.

An act for the benefit of Hopkins county.

An act to change the time of holding the court of claims of Madison county.

An act for the benefit of the Dix River and Lancaster Turnpike Road Company.

An act for the benefit of the town of Glasgow.

An act to increase the county levy of McLean county.

An act for the benefit of Floyd county.

An act in relation to taxes for road purposes in Henderson county.

An act to amend an act, entitled "An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence," so as to extend the provisions of said act to the counties of Lyon and Trigg.

An act to revise and codify the charter of the city of Covington.

Resolution directing the firing of salutes on the 8th of January and 22d of February, 1872.

Mr. Blackburn, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to incorporate the Louisville Union Depot and Transfer Company,

Reported the same with an amendment.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the House the response of the Commissioners of the Sinking Fund to a resolution heretofore adopted by this House, which was read as follows, viz :

*To the Speaker of the House of Representatives :*

In response to a resolution which has passed both Houses of the General Assembly, in substance requiring the Commissioners of the Sinking Fund to report what dividend was declared by the Bank of Kentucky on the 1st Monday in January, 1872 ; and also whether or

not said bank paid to said commissioners, or made any arrangements for paying to said commissioners, the State's interest in the surplus held by said bank over and above the amount required by their charter to be held by them, as said bank was directed to do by the resolution of the General Assembly, approved by the Governor on the 30th day of December, 1871, and by the 14th section of the act establishing said bank, the Commissioners of the Sinking Fund beg leave to report:

That the Bank of Kentucky, since the adoption of the resolution of 30th December, 1871, has declared a half-yearly dividend, as of 1st of January, 1872, of four per centum on the capital stock of said bank, and has distributed to the Commissioners of the Sinking Fund the State's said half-yearly four per cent. dividend on her stock owned in said bank.

The said bank has not paid to the Commissioners of the Sinking Fund the State's interest in the surplus held by said bank over and above the amount required by their charter to be held by them; and the Commissioners of the Sinking Fund are not apprised that said bank has made any arrangement to do so.

Respectfully submitted,

P. H. LESLIE,

*Chairman Board Commissioners of Sinking Fund.*

On motion of Mr. Garnett, said response was referred to the Committee on the Sinking Fund.

The Speaker laid before the House the report of the Board of Managers, Superintendent, and Treasurer of the Western Lunatic Asylum for the year 1871.

[*For Report—see Legislative Document No.* 10.]

On motion of Mr. W. Evans, the Public Printer was directed to print five hundred copies of said report for the use of said Asylum and one hundred and fifty copies for the use of the General Assembly.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House of Representatives, to a bill which originated in the Senate, entitled

An act to incorporate the Louisville Union Depot and Transfer Company.

The hour of 10½ o'clock, A. M., having arrived, the House, according to order, again took up for further consideration an engrossed bill, entitled

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

Mr. Blackburn moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Waide then moved to reconsider the vote by which the main question was ordered.

Mr. Chrisman moved to lay the motion of Mr. Waide on the table.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bush and Deaderick, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | J. C. Moorman, |
| Wm. A. Allen, | W. W. Deaderick, | W. A. Morin, |
| A. C. Armstrong, | Walter Evans, | Wm. Mynhier, |
| R. Tarv. Baker, | W. H. Evans, | Mat. Nunan, |
| Alpheus W. Bascom, | T. S. Fish, | John W. Ogilvie, |
| John A. Bell, | Manlius T. Flippin, | Julian N. Phelps, |
| S. C. Bell, | C. D. Foote, | Hiram S. Powell, |
| J. C. S. Blackburn, | James Garnett, | W. L. Reeves, |
| Wm. F. Bond, | Wm. Cassius Goodloe, | E. A. Robertson, |
| W. W. Bush, | E. A. Graves, | C. C. Scales, |
| Thomas P. Cardwell, | C. P. Gray, | Wm. Sellers, |
| Robert M. Carlisle, | J. P. Hampton, | James W. Snyder, |
| George Carter, | Wm. A. Hoskins, | C. W. Threlkeld, |
| James S. Chrisman, | T. J. Jones, | Harry I. Todd, |
| C. M. Clay, jr., | J. S. Lawson, | Joseph T. Tucker, |
| Josiah H. Combs, | G. W. Little, | T. W. Varnon, |
| William G. Conrad, | J. J. McAfee, | T. J. Walker, |
| R. D. Cook, | J. A. McCampbell, | Jonas D. Wilson, |
| Thomas H. Corbett, | Bryan S. McClure, | J. N. Woods—59. |
| J. E. Cosson, | T. J. Megibben, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | M. Woods Ferguson, | J. R. Sanders, |
| A. S. Arnold, | Joseph P. Foree, | Samuel M. Sanders, |
| W. W. Ayers, | Clinton Griffith, | William Tarlton, |
| G. W. Bailey, | George M. Jessee, | J. S. Taylor, |
| W. R. Bates, | E. Polk Johnson, | L. W. Trafton, |
| W. N. Beckham, | T. M. Johnson, | E. F. Waide, |
| Church H. Blakey, | Wm. J. McElroy, | J. L. Waring, |
| W. B. M. Brooks, | M. E. McKenzie, | C. H. Webb, |
| John S. Carpenter, | J. L. Nall, | J. M. White, |

| | | |
|---|---|---|
| B. E. Casselly, | Lewis Potter, | F. A. Wilson, |
| J. Guthrie Coke, | John Rowan, | S. H. Woolfolk, |
| R. L. Cooper, | John P. Rowlett, | J. M. Wright—38. |
| John W. Dyer, | J. P. Sacksteder, | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Bush moved to reconsider the vote by which said bill was passed.

Mr. Chrisman moved to lay the motion of Mr. Bush on the table.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Waide and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | J. C. Moorman, |
| Wm. A. Allen, | Joseph M. Davidson, | W. A. Morin, |
| A. C. Armstrong, | W. W. Deaderick, | Wm. Mynhier, |
| A. S. Arnold, | Walter Evans, | J. L. Nall, |
| W. W. Ayers, | W. H. Evans, | Mat. Nunan, |
| G. W. Bailey, | T. S. Fish, | John W. Ogilvie, |
| R. Tarv. Baker, | Manlius T. Flippin, | Julian N. Phelps, |
| Alpheus W. Bascom, | C. D. Foote, | Hiram S. Powell, |
| John A. Bell, | James Garnett, | W. L. Reeves, |
| S. C. Bell, | Wm. Cassius Goodloe, | E. A. Robertson, |
| J. C. S. Blackburn, | E. A. Graves, | C. C. Scales, |
| Wm. F. Bond, | C. P. Gray, | Wm. Sellers, |
| W. W. Bush, | J. P. Hampton, | James W. Snyder, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | C. W. Threlkeld, |
| Robert M. Carlisle, | George M. Jessee, | Harry I. Todd, |
| George Carter, | T. J. Jones, | Joseph T. Tucker, |
| James S. Chrisman, | J. S. Lawson, | T. W. Varnon, |
| C. M. Clay, jr., | G. W. Little, | T. J. Walker, |
| Josiah H. Combs, | J. J. McAfee, | C. H. Webb, |
| Wm. G. Conrad, | J. A. McCampbell, | Jonas D. Wilson, |
| R. D. Cook, | Bryan S. McClure, | J. N. Woods—65. |
| Thomas H. Corbett, | T. J. Megibben, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | Clinton Griffith, | Samuel M. Sanders |
| W. R. Bates, | E. Polk Johnson, | Wm. Tarlton, |
| W. N. Beckham, | Thos. M. Johnson, | J. S. Taylor, |
| Church H. Blakey, | W. J. McElroy, | L. W. Trafton, |
| W. B. M. Brooks, | M. E. McKenzie, | E. F. Waide, |
| John S. Carpenter, | Lewis Potter, | J. L. Waring, |
| B. E. Casselly, | John Rowan, | J. M. White, |
| J. Guthrie Coke, | John P. Rowlett, | F. A. Wilson, |
| R. L. Cooper, | J. P. Sacksteder, | S. H. Woolfolk, |
| M. Woods Ferguson, | J. R. Sanders, | J. M. Wright—31. |
| Joseph P. Foree, | | |

**And so the House refused to reconsider said vote.**

Mr. Corbett, from the select committee who were directed to prepare and bring in the same, reported

A bill to prevent persons from interfering so as to induce laborers or servants to abandon their contracts, or to employ such without the consent of their original employer before the expiration of the contract, &c.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed, and that the consideration thereof be postponed to, and made the special order of the day for, the 18th instant, at 11 o'clock, A. M.

Mr. Graves read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer in favor of the Sergeant-at-Arms of the Senate and House of Representatives for an amount equal to two thirds of the *per diem* paid to the pages and other employees of the two Houses of the Legislature at its last session; which sums, when drawn, shall be applied to the payment of the pages and employees of the present Legislature.

2. That the foregoing resolution shall take effect from its passage.

On motion of Mr. Graves, the rule requiring joint resolutions to lie one day on the table was suspended, and the said resolution taken up and read a second time.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Walter Evans, | W. L. Reeves, |
| George W. Anderson, | W. H. Evans, | E. A. Robertson, |
| A. C. Armstrong, | T. S. Fish, | John Rowan, |
| A. S. Arnold, | Manlius T. Flippin, | John P. Rowlett, |
| W. W. Ayers, | C. D. Foote, | J. P. Sacksteder, |
| R. Tarv. Baker, | Joseph P. Foree, | J. R. Sanders, |
| W. N. Beckham, | James Garnett, | Samuel M. Sanders, |
| John A. Bell, | Wm. Cassius Goodloe, | C C. Scales, |
| S. C. Bell, | E. A. Graves, | William Sellers, |
| J. C. S. Blackburn, | C. P. Gray, | James W. Snyder, |
| Church H. Blakey, | Clinton Griffith, | Wm. Tarlton, |

| | | |
|---|---|---|
| W. B. M. Brooks, | T. J. Jones, | J. S. Taylor, |
| W. W. Bush, | J. S. Lawson, | C. W. Threlkeld, |
| Thomas P. Cardwell, | G. W. Little, | L. W. Trafton, |
| Robert M. Carlisle, | J. A. McCampbell, | Joseph T. Tucker, |
| John S. Carpenter, | Bryan S. McClure, | T. W. Varnon, |
| George Carter, | Wm. J. McElroy, | E. F. Waide, |
| B. E. Casselly, | M. E. McKenzie, | T. J. Walker, |
| James S. Chrisman, | T. J. Megibben, | J. L. Waring, |
| J. Guthrie Coke, | J. C. Moorman, | C. H. Webb, |
| Wm. G. Conrad, | W. A. Morin, | J. M. White, |
| R. D. Cook, | Wm. Mynhier, | F. A. Wilson, |
| R. L. Cooper, | J. L. Nall, | Jonas D. Wilson, |
| J. E. Cosson, | Mat. Nunan, | J. N. Woods, |
| Joseph M. Davidson, | John W. Ogilvie, | S. H. Woolfolk, |
| W. W. Deaderick, | Julian N. Phelps, | J. M. Wright—80. |
| John W. Dyer, | Lewis Potter, | |

In the negative—none.

The Speaker laid before the House the following communication from the Auditor, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., January 13, 1872.

HON. JAMES B. MCCREARY, *Speaker House Representatives:*

SIR: I herewith submit, through you, for the information of the General Assembly, the receipts and expenditures of the Eastern Lunatic Asylum for the year ending September 30th, 1871.

I have the honor to be,

Very respectfully,

D. HOWARD SMITH, *Auditor.*

[*For Report—see Legislative Document No.* 11.]

On motion of Mr. Waide, the Public Printer was directed to print the usual number of copies thereof for the use of this House.

The Speaker laid before the House the following letter from the Auditor, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., January 13, 1872.

HON. JAMES B MCCREARY, *Speaker House Representatives:*

SIR: The statement of the receipts and expenditures of the Deaf and Dumb Asylum, for the years ending the 1st of November, 1870 and 1871, is herewith sent you for the information of the General Assembly.

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, *Auditor*

[*For Report—see Legislative Document No.* 12.]

On motion of Mr. Waide, the Public Printer was directed to print the usual number of copies for the use of this House.

Leave was given to bring in the following bills, viz:

On motion of Mr. Powell—

1. A bill to amend an act for the benefit of the citizens of Jackson county.

On motion of Mr. Phelps—

2. A bill for the benefit of the sheriff of Butler county.

On motion of Mr. Davidson—

3. A bill for the benefit of Wm. Mynheir, of Morgan county.

On motion of Mr. Jones—

4. A bill to authorize the county court of Graves county to sell the old clerks' offices in Mayfield.

On motion of Mr. Rowan—

5. A bill to authorize the county judge of McLean county to appoint an assessor of taxable property in district No. 3 for railroad purposes.

On motion of Mr. Armstrong—

6. A bill for the benefit of the sheriff of Bracken county.

On motion of same—

7. A bill to allow clerks of circuit courts and criminal courts fees in felony cases.

On motion of Mr. Fish—

8. A bill to incorporate the Walton Agricultural and Mechanical Association, in Boone county.

On motion of same—

9. A bill to incorporate the Ludlow and Florence Turnpike Road Company.

On motion of Mr. Bond—

10. A bill for the benefit of Ambrose Portwood, of Anderson county.

On motion of same—

11. A bill to amend the charter of the Board of Internal Improvement for Anderson county.

On motion of Mr. Clay—

12. A bill to amend an act to incorporate the North Middletown Deposit Bank, approved March 15th, 1869

On motion of Mr. Armstrong—

13. A bill to incorporate the trustees of the Presbyterian Church of Augusta.

On motion of Mr. Cardwell—

14. A bill for the protection of deer in Breathitt and Wolfe counties.

On motion of Mr. J. D. Wilson—

15. A bill for the benefit of F. M. Smith, of Breckinridge county.

On motion of Mr. Bates—

16. A bill to repeal an act for the benefit of D. C. Smith, of Barren county.

On motion of same—

17. A bill to establish a Deposit Bank in Smith's Grove, Warren county.

On motion of Mr. Brooks—

18. A bill to change the time of holding the court of claims in Spencer county.

On motion of Mr. Baker—

19. A bill to amend the charter of the Newport and Alexandria Turnpike Road Company.

On motion of same—

20. A bill to appoint a treasurer for Campbell county.

On motion of same—

21. A bill to change the time of holding the circuit court in Campbell county.

On motion of same—

22. A bill to amend the charter of the Kentucky and Great Eastern Railway Company in relation to Campbell county.

On motion of same—

23. A bill to amend the law upon the subject of fencing against stock in Campbell county.

On motion of same—

24. A bill to incorporate the Metropolitan Turnpike Trainway and Bridge Company.

On motion of same—

25. A bill to add an additional term to the chancery court in Campbell county.

On motion of Mr. Tucker—

26. A bill to amend article 17, chapter 28, Revised Statutes.

On motion of same—

27. A bill to amend the charter of the Winchester and Red River Iron Works Turnpike Company.

On motion of same—

28. A bill to protect stone and rail fences in Clark and Montgomery counties.

On motion of same—

29. A bill to regulate the weight of stone-coal in Kentucky.

On motion of Mr. Hampton—

30. A bill for the benefit of school district No. 30, in Owsley county.

On motion of Mr. Goodloe—

31. A bill for the suppression of a species of lottery called "Policy," in the city of Lexington and Fayette county.

On motion of same—

32. A bill for the benefit of A. H. Colvin, of Fayette county.

On motion of Mr. Davidson—

33. A bill to establish the county of Beck.

On motion of Mr. Todd—

34. A bill for the benefit of Sanford Goin, of Frankfort.

On motion of Mr. Sellers—

35. A bill to amend the charter of Lancaster, approved March 11, 1870.

On motion of Mr. Jones—

36. A bill to give to the colored race the right of the homestead.

On motion of Mr. Waring—

37. A bill to amend the charter of Greenupsburg.

On motion of same—

38. A bill to incorporate the Rivertown Iron and Mining Company.

On motion of same—

39. A bill to amend the charter of Ashland.

On motion of same—

40. A bill to repeal an act for the benefit of O. C. Bowles and Geo. N. Brown, approved March 15th, 1871.

On motion of Mr. Trafton—

41. A bill to amend the charter of Corydon.

On motion of same—

42. A bill to amend an act to authorize the Henderson county court to raise money, &c.

On motion of same—

43. A bill to incorporate Scuffletown Fence Company.

On motion of same—

44. A bill to authorize the city of Henderson to issue bonds for railroad purposes.

On motion of same—

45. A bill to amend the law in relation to crimes and punishments.

On motion of same—

46. A bill to amend an act to exempt homesteads, &c.

On motion of Mr. Woolfolk—

47. A bill to amend an act to incorporate the Madisonville and Shawneetown Railroad Company.

On motion of same—

48. A bill to repeal the charter of the Providence Mining and Manufacturing Company.

On motion of Mr. Carlisle—

49. A bill to incorporate Adams Lodge, No. 188, I. O. O. F., in Kenton county.

On motion of Mr. Scales—

50. A bill to provide for the payment of mileage to officers of the law when official duty requires them to travel beyond the limits of the State.

On motion of Mr. W. H. Evans—

51. A bill for the benefit of Robert Baine.

On motion of Mr. Cook—

52. A bill for the benefit of school district No. 1, in Rockcastle county.

On motion of same—

53. A bill to enable the county court of Rockcastle to levy a tax to build a new court-house, &c.

On motion of Mr. Carter—

54. A bill to incorporate Louisa Lodge, No. 199, I. O. O. F.

On motion of same—

55. A bill to authorize the trustees of Louisa to lease a portion of the public grade, &c.

On motion of Mr. Webb—

56. A bill for the benefit of W. T. Champion and H. C. Thompson.

On motion of Mr. Blakey—

57. A bill in relation to peddlers.

On motion of Mr. Sacksteder—

58. A bill to provide for the remuneration of interpreters in the Jefferson court of common pleas and Louisville chancery court.

On motion of Mr. Coke—

59. A bill to settle the accounts of Jordan Clark and Thomas P. Smith, &c.

On motion of Mr. Graves—

60. A bill for the benefit of school district No. 47, in Marion county.

On motion of Mr. Ogilvie—

61. A bill to incorporate the Universal Deposit and Savings Bank, of Paducah.

On motion of Mr. Allen—

62. A bill for the benefit of the sureties of Walter B. Simmons.

On motion of Mr. Flippin—

63. A bill to amend the laws of this Commonwealth in relation to carrying lunatics to the Asylums.

On motion of Mr. Mynhier—

64. A bill for the benefit of Jesse K. Howard.

On motion of same—

65. A bill for the benefit of Wm. Lykins.

On motion of Mr. Moorman—

66. A bill for the protection of sheep in this Commonwealth.

On motion of same—

67. A bill to punish certain trespassers in this Commonwealth.

On motion of Mr. Beckham—

68. A bill authorizing a vote to be taken in Nelson county as to whether or not ardent spirits shall be sold in said county.

On motion of Mr. Deaderick—

69. A bill to incorporate Boston Station, in Pendleton county.

On motion of Mr. J. A. Bell—

70. A bill to authorize the county court of Scott county to subscribe stock, &c.

On motion of Mr. Foree—

71. A bill to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company.

On motion of same—

72. A bill for the benefit of school district No. 28, in Shelby county.

On motion of same—

73. A bill to amend the charter of the Flat Rock and Floydsburg Turnpike Road Company, in Shelby and Oldham.

On motion of Mr. Potter—

74. A bill to incorporate the town of Smith's Grove, in Warren county.

On motion of Mr. Little—

75. A bill for the better protection of fruit-growers in this Commonwealth.

On motion of same—

76. A bill to amend and continue in force for the further time of ninety-nine years an act granting a premium on red and grey foxes, wolves and wild cats' scalps in this State.

On motion of Mr. Garnett—

77. A bill to incorporate the town of Glenville.

On motion of same—

78. A bill in aid of turnpikes in Adair county.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st, 26th, 28th, 29th, 35th, 50th, and 75th; the Committee on Propositions and Grievances the 2d, 14th, 33d, 51st, 55th, 62d, and 76th; the Committee on County Courts the 3d, 5th, 18th, 20th, 42d, 53d, 65th, 70th, and 77th; the Committee on Ways and Means the 6th and 10th; the Committee on Circuit Courts the 7th, 21st, 25th, and 36th; the Committee on Banks the 12th, 17th, 44th, and 61st; the Committee on Internal Improvement the 9th, 11th, 19th, 24th, 71st, 73d, and 78th; the Committee on Corporate Institutions the 13th, 27th, 37th, 38th, 39th, 40th, 41st, 43d, 47th, 48th, 54th, 69th, and 74th; the Committee on Education the 15th, 30th, 52d, and 72d; the Committee on Railroads the 22d; the Committee on Agriculture and Manufactures the 23d and 66th; the Committee on the Judiciary the 31st, 45th, 46th, 56th, 57th, 59th, and 67th; the Committee on Claims the 34th and 64th; the Committee on Charitable Institutions the 32d; the Committee on Codes of Practice the 58th; the Committee on Religion the 68th; a select committee, consisting of Messrs. Corbett, Ogilvie, and Ayers, the 4th; a select committee, consisting of Messrs. Carlisle, Graves, and Fish, the 8th; a select committee, consisting of Messrs. Garnett, T. M. Johnson, and S. C. Bell, the 16th; a select committee, consisting of Messrs. Carlisle, Foote, and Scales, the 49th; and a select committee, consisting of Messrs. Graves, Davidson, and Ayers, the 60th.

And then the House adjourned.

## MONDAY, JANUARY 15, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Todd—

1. The petition of certain citizens of Franklin county, praying for such legislation as will suppress certain disorders in said county.

By Mr. Beckham—

2. The petition of citizens of Nelson county, praying the passage of an act to prevent the retail of ardent spirits in said county.

By Mr. Dyer—

3. The petition of citizens of Caseyville, praying the passage of an act to enable its citizens, by a vote, to abolish the sale of spirituous liquors in said town in less quantities than a quart, or within one mile of the limits thereof.

By Mr. Trafton—

4. The petition of citizens of Spottsville, in Henderson county, concerning the screening of coal.

By same—

5. The petition of citizens of Larue county, praying the passage of an act to allow Green B. Overfield to retail spirits at any point within said county.

By Mr. Ogilvie—

6. The remonstrance of certain citizens of Paducah, against the passage of a law repealing certain lottery grants.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and ordered to be printed; the 2d and 3d to the Committee on Religion; the 4th and 5th to the Committee on Propositions and Grievances; and the 6th to the Committee on Ways and Means.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act authorizing Mrs. Sally M. E. Pope to qualify as guardian for the children of Mary Lloyd Hartman.

An act to change the time for holding the circuit courts in the 5th judicial district.

That they had passed bills and concurred in a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to provide for recording deeds to burial lots in Green Lawn Cemetery, at Franklin.

An act to provide for the existing deficit in the Treasury.

An act to amend an act to incorporate the Montgomery and Bath Counties Associated Turnpike Road Company.

An act to amend an act to incorporate the Allensville Turnpike Company, in Clark county.

Resolution providing pay of pages and other employees of the General Assembly.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Franklin Academic Institute.

2. An act to authorize the Cumberland county court to levy an additional poll and ad valorem tax for county purposes.

3. An act to legalize the action of the Cumberland county court in the sale of the old jail in said county.

4. An act to amend section 1, article 2, chapter 28, of the Revised Statutes.

5. An act to authorize the Auditor of Public Accounts to audit and settle claims of sheriffs of the Commonwealth for conveying convicts to the penitentiary of this State.

6. An act to amend section 5, article 2, chapter 83, Revised Statutes, title "Revenue and Taxation."

7. An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off of public roads.

8. An act to amend the charter of Carlisle, in Nicholas county.

9. An act regulating the time of holding the quarterly courts in Nicholas county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Education; the 2d, 3d, and 9th to the Committee on County Courts; the 4th to the Committee on the Revised Statutes; the 5th and 6th to the Committee on Ways and Means; the 7th to the Committee on the Judiciary; and the 8th to the Committee on Corporate Institutions.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to incorporate the Louisville Union Depot and Transfer Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

Mr. Clay, from the Committee on Agriculture and Manufactures, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act for the protection of the livery stable-keepers of this Commonwealth," approved January 3, 1871.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. McCampbell offered an amendment to said bill.

On motion of Mr. Flippin,

*Ordered*, That said bill and amendment be printed, and that the further consideration thereof be postponed to, and made the special order of the day for, the 19th instant, at 11 o'clock, A. M.

The Speaker laid before the House the following response of the Public Binder to a resolution of this House adopted on the 10th inst., viz:

OFFICE OF PUBLIC BINDER,
FRANKFORT, KY., January 15th, 1872.

HON. JAMES B. MCCREARY, *Speaker House Representatives:*

SIR: In response to the following resolution, adopted in the House of Representatives on the 10th inst.:

*Resolved*, That the Public Binder of this Commonwealth be, and he is hereby, requested to furnish this House with the following information:

1st. As Public Binder, do you do the work yourself or do you sub-let it? If you sub-let, at what rate or price?

2d. What pay or compensation have you drawn from the Treasury of the State as Public Binder?

I beg leave to submit the following:

1st. As Public Binder, I do the work myself, and do not sub-let it.

2d. The gross amount paid me by the State for public binding from January 15th, 1871, to date, is $9,642 27.

I have the honor to be,

Very respectfully,

Your obedient servant,

JOHN MARTIN, JR.,

*Public Binder.*

*Ordered*, That said response be referred to the select committee heretofore raised on the subject of public binding and printing.

On motion, leave of absence, indefinitely, was granted to Messrs. Bates, Tarlton, and Rowlett.

Mr. Hoskins presented to the House the response of the Commissioners of the Deaf and Dumb Asylum at Danville, to a resolution of this House, requesting the information therein contained.

[*For Report—see Legislative Document No.* 12.]

*Ordered*, That said response be referred to the Committee on Charitable Institutions.

The hour of 11 o'clock, A. M., having arrived, the House took up for consideration a bill from the Senate, entitled

An act to incorporate the Western Tobacco Bank and Warehouse Company.

Mr. Garnett offered amendments to said bill.

On motion of Mr. Corbett, said bill and amendments were recommitted to the Committee on Banks.

Mr. Scales offered the following resolution, viz:

*Resolved*, That the use of this Hall be tendered to Captain Brain for the purpose of lecturing to-morrow (Tuesday) night.

Which was adopted.

According to order, the House took up for further consideration a bill, entitled

A bill to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend section 1, article 3, chapter 47, Revised Statutes," approved December 20, 1865, be, and the same is hereby, repealed.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. Evans and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | J. L. Nall, |
| Wm. A. Allen, | Walter Evans, | Mat. Nunan, |
| A. C. Armstrong, | W. H. Evans, | John W. Ogilvie, |
| A. S. Arnold, | T. S. Fish, | Julian N. Phelps, |
| W. W. Ayers, | James B. Fitzpatrick, | Lewis Potter, |
| G. W. Bailey, | Manlius T. Flippin, | Hiram S. Powell, |
| R. Tarv. Baker, | James Garnett, | W. L. Reeves, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | E. A. Robertson, |
| W. N. Beckham, | E. A. Graves, | John Rowan, |
| John A. Bell, | C. P. Gray, | J. P. Sacksteder, |
| S. C. Bell, | J. P. Hampton, | J. R. Sanders, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | Samuel M. Sanders, |
| Wm. F. Bond, | E. Polk Johnson, | C. C. Scales, |
| Thomas P. Cardwell, | T. M. Johnson, | Wm. Sellers, |
| Robert M. Carlisle, | J. S. Lawson, | C. W. Threlkeld, |
| John S. Carpenter, | G. W. Little, | L. W. Trafton, |
| George Carter, | J. J. McAfee, | Joseph T. Tucker, |
| B. E. Cassilly, | J. A. McCampbell, | T. J. Walker, |
| C. M. Clay, jr., | Bryan S. McClure, | J. L. Waring, |
| J. Guthrie Coke, | Wm. J. McElroy, | C. H. Webb, |
| William G. Conrad, | M. E. McKenzie, | J. M. White, |
| R. L. Cooper, | T. J. Megibben, | F. A. Wilson, |
| Thomas H. Corbett, | J. C. Moorman, | Jonas D. Wilson, |
| J. E. Cosson, | W. A. Morin, | J. N. Woods—74. |
| Joseph M. Davidson, | Wm. Mynhier, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Church H. Blakey, | W. W. Deaderick, | James W. Snyder, |
| W. W. Bush, | C. D. Foote, | J. S. Taylor, |
| James S. Chrisman, | Clinton Griffith, | T. W. Varnon, |
| Josiah H. Combs, | T. J. Jones, | S. H. Woolfolk—12. |

*Resolved*, That the title of said bill be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill to authorize the trustees of Louisa to lease portions of the public grade belonging to said town.

By Mr. Ayers, from the Committee on Religion—

A bill authorizing the sale of lands belonging to Saint Teresa's Catholic Church, in Meade county.

By Mr. Reeves, from the Committee on the Judiciary—

A bill for the benefit of Warren county.

By Mr. Griffith, from the Committee on Claims—

A bill for the benefit of Munroe T. Shellburn, of Ballard county.

By same—

A bill for the benefit of James D. Hatchett, of Henderson county.

By Mr. Fish, from the Committee on Ways and Means—

A bill for the benefit of James H. Kirk, late sheriff of Marion county.

By Mr. Bascom, from the Committee on Banks—

A bill to amend the charter of the Owensboro Savings Bank.

By same—

A bill to amend the charter of the Bank of America, of the city of Louisville.

By Mr. F. A. Wilson, from the Committee on County Courts—

A bill for the benefit of the Garrard County and Kirksville Turnpike Road Company.

By same—

A bill to authorize the Hancock county court to increase the county levy.

By same—

A bill for the benefit of Crittenden county.

By Mr. Foote, from the same committee—

A bill to amend an act for the benefit of Boone county, approved January 30, 1871.

By same—

A bill to change the time of holding the quarterly courts in Ballard county.

By Mr. Fish, from a select committee—

A bill incorporating the Walton Agricultural and Mechanical Association, in Boone county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Reeves—

1. A bill to establish chancery courts in certain districts and counties of this Commonwealth.

On motion of Mr. Hoskins—

2. A bill for the benefit of Pine Knob Turnpike Company.

On motion of same—

3. A bill for the benefit of the administrators of James P. Mitchell, deceased.

On motion of Mr. Sellers—

4. A bill to amend section 37, chapter 1, Civil Code of Practice.

On motion of Mr. Armstrong—

5. A bill for the benefit of J. W. Staton, of Bracken county.

On motion of Mr. Arnold—

6. A bill to incorporate the Mississippi River and Duck River Railroad Company.

On motion of same—

7. A bill to incorporate the Mississippi River and Tennessee River Railroad Company.

*Ordered*, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Court of Appeals the 4th; the Committee on Railroads the 6th and 7th; a select committee, consisting of Messrs. Bascom, Gray, and McAfee, the 3d; and a select committee, consisting of Messrs. Deaderick, Armstrong, and Foote, the 5th.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Waring, from the Committee on Privileges and Elections—

An act to amend an act to establish an additional voting precinct in Carter county, approved March 10, 1870.

By Mr. McKenzie, from the Committee on Ways and Means—

An act for the benefit of W. E. Clelland, sheriff of Mercer county.

By same—

An act for the benefit of W. A. Foutz, surety for B. T. Haydon, late sheriff of Rowan county.

By Mr. Trafton, from the Committee on County Courts—

An act to change the time of holding the annual court of claims of Bath county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up from the orders of the day a bill, entitled

A bill to pay jurors in justices' and quarterly courts in this Commonwealth.

Mr. Gray offered an amendment to said bill.

On motion of Mr. Tucker, said bill and amendment were recommitted to the Committee on the Judiciary, with instructions to report on Tuesday, 23d inst., at 11 o'clock, A. M.

And then the House adjourned.

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## TUESDAY, JANUARY 16, 1872.

The following petitions and remonstrances were presented, viz:

By Mr. Corbett—

1. The petition of sundry citizens of school district No. —, in Ballard county, praying to be allowed to levy an additional tax for school purposes.

By Mr. Waring—

2. The petition of citizens of school district No. 42, in Greenup county, praying to be allowed to levy an additional tax for school purposes.

By Mr. Robertson—

3. The petition of certain citizens of Fleming county, praying the passage of an act to incorporate the Elm Spring Agricultural, Horticultural, and Mechanical Association.

By Mr. Gray—

4. The petition of citizens of Clinton county, praying the passage of an act to declare Wolf river a navigable stream.

By same—

5. The remonstrance of certain other citizens of Clinton county against the passage of said act.

By Mr. Mynhier—

6. The petition of D. R. Altizer, and sundry citizens of Magoffin county, praying to be permitted to erect a mill-dam across Licking river, in Magoffin county.

By same—

7. The petition of John D. Boys, and other citizens of Magoffin county, praying to be allowed to erect a mill-dam across Lick creek, in Magoffin county.

By Mr. Davidson—

8. The remonstrance and protest of O. C. Bowles and others, against the repeal of an act, entitled "An act for the benefit of O. C. Bowles, Geo. N. Brown, and their associates," approved March 15th, 1871.

By Mr. McKenzie—

9. The petition of citizens of district No. 6, of Trigg county, praying the establishment of an additional district in said county.

By Mr. Graves—

10. The petition of citizens of Marion county, praying additional legislation for the preservation of fish in this Commonwealth.

By Mr. Hampton—

11. The petition of citizens of Lee county, praying to be added to the county of Owsley.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Education; the 3d to the Committee on Agriculture and Manufactures; the 4th, 5th, 6th, 7th, and 9th to the Committee on Internal Improvement; the 8th to the Committee on Corporate Institutions; the 10th to the Committee on County Courts; and the 11th to the Committee on Propositions and Grievances.

On motion of Mr. Waide, Mr. Foote was added to the Committee on Banks.

Mr. Griffith read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee of two from the House and one from the Senate be appointed, to wait on the Governor and request him to return to this House, unsigned, a bill which originated in this House, entitled "An act to amend the charter of the Owensboro and Russellville Railroad."

On motion of Mr. Griffith, the rule requiring joint resolutions to lie one day on the table was suspended, the said resolution taken up, again read, and adopted.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to change the time of holding the court of common pleas in Ballard county.

And that they had adopted a resolution and passed a bill of the following titles, viz:

Resolution in relation to the election of State Printer, Public Binder, and State Librarian.

An act requiring certain sales and warning orders to be published in a newspaper published in the county of Shelby.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That the same be referred to the Committee on the Judiciary.

The Speaker laid before the House a report of the accounts of the Feeble-minded Institute, made under a resolution heretofore adopted by this House.

[*For Report—see Legislative Document No.* 13.]

*Ordered*, That the usual number of copies of said report be printed for the use of this House, and that the same be referred to the Committee on Charitable Institutions.

Mr. Tucker, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend chapter 105, Revised Statutes—weight of coal.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, The weight of stone-coal in this Commonwealth shall hereafter be eighty pounds to the bushel.

§ 2. Any persons engaged in the retailing of coal shall, upon the demand of the purchaser, deliver to him a certified statement of the weight of the coal so delivered; said certified statement to be signed by the party weighing such coal.

§ 3 Any person selling coal at a less weight to the bushel than eighty pounds, or refusing or failing to deliver to the purchaser a certified statement of weight, as required by this act, shall be fined in a sum not less than ten nor more than fifty dollars for each offense, to

be recovered by warrant before any justice, police judge, or presiding judge, or by indictment in the circuit court in the name of the Commonwealth, and applied to the benefit of the Jury Fund.

§ 4. The act adopted March 18, 1870, relating to screened coal, and all other provisions of the statute inconsistent with this act, are hereby repealed.

§ 5. This act to take effect from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Mynhier moved to recommit said bill to a select committee.

And the question being taken thereon, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cardwell and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | C. D. Foote, | E. A. Robertson, |
| A. S. Arnold, | James Garnett, | John Rowan, |
| W. W. Ayers, | Wm. Cassius Goodloe, | John P. Rowlett, |
| G. W. Bailey, | E. A. Graves, | J. P. Sacksteder, |
| R. Tarv. Baker, | C. P. Gray, | J. R. Sanders, |
| John A. Bell, | Wm. A. Hoskins, | Samuel M. Sanders, |
| S. C. Bell, | George M. Jessee, | C. C. Scales, |
| J. C. S. Blackburn, | E. Polk Johnson, | Wm. Sellers, |
| Church H. Blakey, | T M. Johnson, | James W. Snyder, |
| Wm. F. Bond, | T. J. Jones, | William Tarlton, |
| W. B. M. Brooks, | J. S. Lawson, | J. S. Taylor, |
| W. W. Bush, | J. J. McAfee, | C. W. Threlkeld, |
| Robert M. Carlisle, | J. A. McCampbell, | Harry I. Todd, |
| George Carter, | Bryan S. McClure, | L. W. Trafton, |
| C. M. Clay, jr., | Wm. J. McElroy, | Joseph T. Tucker, |
| J. Guthrie Coke, | M. E. McKenzie, | T. W. Varnon, |
| William G. Conrad, | T. J. Megibben, | T. J. Walker, |
| R. L. Cooper, | J. C. Moorman, | J. L. Waring, |
| Thomas H. Corbett, | W. A. Morin, | C. H. Webb, |
| J. E. Cosson, | J. L. Nall, | J. M. White, |
| W. W. Deaderick, | Mat. Nunan, | F. A. Wilson, |
| John W. Dyer, | John W. Ogilvie, | Jonas D. Wilson, |
| Walter Evans, | Julian N. Phelps, | J. N. Woods, |
| T. S. Fish, | Lewis Potter, | S. H. Woolfolk, |

James B. Fitzpatrick, W. L. Reeves, J. M. Wright—76.
Manlius T. Flippin,

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | B. E. Cassilly, | Clinton Griffith, |
| Wm. A. Allen, | James S. Chrisman, | J. P. Hampton, |
| George W. Anderson, | Josiah H. Combs, | G. W. Little, |
| Alpheus W. Bascom, | Joseph M. Davidson, | Wm. Mynhier, |
| W. N. Beckham, | W. H. Evans, | Hiram S. Powell, |
| Thomas P. Cardwell, | M. Woods Ferguson, | E. F. Waide—19. |
| John S. Carpenter, | | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Tucker, from the Committee on the Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend article 2, chapter 17, of the Revised Statutes,

Reported the same without amendment.

On motion of Mr. W. Evans,

*Ordered*, That said bill be printed, and that the further consideration thereof be postponed to, and made the special order of the day for, Monday, the 22d instant, at 11 o'clock, A. M.

Mr. Tucker, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to amend the charter of South Carrollton.

A bill for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Graves, from the select committee who were directed to prepare and bring in the same, reported

A bill to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Coke moved to print said bill, and to make the same the special order of the day for Tuesday, 23d instant, at 11 o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Flippin and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Bush, | Wm. A. Hoskins, |
| Wm. A. Allen, | Robert M. Carlisle, | George M. Jessee, |
| George W. Anderson, | John S. Carpenter, | E. Polk Johnson, |
| A. C. Armstrong, | George Carter, | J. S. Lawson, |
| A. S. Arnold, | B. E. Cassilly, | Wm. Mynhier, |
| G. W. Bailey, | J. Guthrie Coke, | W. L. Reeves, |
| W. N. Beckham, | J. E. Cosson, | J. P. Sacksteder, |
| John A. Bell, | Joseph M. Davidson, | J. R. Sanders, |
| J. C. S. Blackburn, | W. W. Deaderick, | Joseph T. Tucker, |
| Church H. Blakey, | John W. Dyer, | E. F. Waide, |
| Wm. F. Bond, | M. Woods Ferguson, | J. M. Wright—35. |
| W. B. M. Brooks, | James B. Fitzpatrick, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | Clinton Griffith, | John Rowan, |
| R. Tarv. Baker, | J. P. Hampton, | John P. Rowlett, |
| Alpheus W. Bascom, | Thos. M. Johnson, | Samuel M. Sanders |
| S. C. Bell, | T. J. Jones, | C. C. Scales, |
| Thomas P. Cardwell, | G. W. Little, | Wm. Sellers, |
| James S. Chrisman, | J. J. McAfee, | James W. Snyder, |
| C. M. Clay, jr., | J. A. McCampbell, | J. S. Taylor, |
| Josiah H. Combs, | Bryan S. McClure, | C. W. Threlkeld, |
| Wm. G. Conrad, | W. J. McElroy, | Harry I. Todd, |
| R. L. Cooper, | M. E. McKenzie, | L. W. Trafton, |
| Thomas H. Corbett, | T. J. Megibben, | T. W. Varnon, |
| Walter Evans, | J. C. Moorman, | T. J. Walker, |
| W. H. Evans, | W. A. Morin, | J. L. Waring, |
| T. S. Fish, | J. L. Nall, | C. H. Webb, |
| Manlius T. Flippin, | Mat. Nunan, | J. M. White, |
| C. D. Foote, | John W. Ogilvie, | F. A. Wilson, |
| James Garnett, | Julian N. Phelps, | Jonas D. Wilson, |
| Wm. Cassius Goodloe, | Lewis Potter, | J. N. Woods, |
| E. A. Graves, | Hiram S. Powell, | S. H. Woolfolk—57. |
| C. P. Gray, | E. A. Robertson, | |

Pending discussion on said bill, the hour for taking up the special order arrived.

The House, according to order, resumed the consideration of the reports of the majority and minority of the Board heretofore consti-

tuted and raised upon the matter of contest for a seat in the House between Mordecai Williams and W. W. Culbertson, as the duly elected Representative thereto from the counties of Boyd and Carter, and that portion of Elliott county voting therewith, the question pending being on the adoption of the resolution reported by the majority of said Board.

Said resolution is as follows, viz:

*Resolved*, That Mordecai Williams is the legally elected Representative to the House from the counties of Boyd, Carter, and part of Elliott, and that he be now permitted to qualify and take his seat as such.

Mr. Baker offered the following as a substitute therefor, viz:

WHEREAS, It appears from an investigation of the case of Mordecai Williams and W. W. Culbertson, neither having a certificate of election as required by law, and neither taken the oath of office and admitted to a seat as a member of this House; and finding no power in the Constitution to judge of the qualifications, elections, and returns of any but members of this House, therefore,

*Resolved*, That the office of Representative from the counties of Boyd and Carter be declared vacant, and the Speaker of this House is directed to issue his writ of election to fill said vacancy.

And the question being taken on the adoption of said substitute, it was decided in the negative.

Mr. Little then offered the following as a substitute for the resolution proposed by the majority of said Board, viz:

*Resolved*, That neither Mordecai Williams nor W. W. Culbertson appears to be entitled to a seat in this House, but that a vacancy exists in the office of Representative for Boyd and Carter counties.

And the question being taken on the substitute proposed by Mr. Little, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Little and Evans, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| A. S. Arnold, | W. H. Evans, | Mat. Nunan, |
| Thomas P. Cardwell, | Manlius T. Flippin, | Julian N. Phelps, |
| Josiah H. Combs, | J. P. Hampton, | Hiram S. Powell, |
| J. E. Cosson, | G. W. Little, | Wm. Sellers, |
| Walter Evans, | J. A. McCampbell, | Jonas D. Wilson—15. |

Those who voted in the negative were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Lewis Potter, |
| Wm. A. Allen, | John W. Dyer, | W. L. Reeves, |
| George W. Anderson, | M. Woods Ferguson, | E. A. Robertson, |
| A. C. Armstrong, | T. S. Fish, | John Rowan, |
| W. W. Ayers, | James B. Fitzpatrick, | John P. Rowlett, |

| | | |
|---|---|---|
| G. W. Bailey, | C. D. Foote, | J. P. Sacksteder, |
| Alpheus W. Bascom, | James Garnett, | J. R. Sanders, |
| W. N. Beckham, | E. A. Graves, | Samuel M. Sanders, |
| John A. Bell, | C. P. Gray, | C. C. Scales, |
| S. C. Bell, | Clinton Griffith, | James W. Snyder, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | William Tarlton, |
| Church H. Blakey, | George M. Jessee, | J. S. Taylor, |
| Wm. F. Bond, | E. Polk Johnson, | C. W. Threlkeld, |
| W. B. M. Brooks, | T. M. Johnson, | Harry I. Todd, |
| W. W. Bush, | T. J. Jones, | L. W. Trafton, |
| Robert M. Carlisle, | J. S. Lawson, | Joseph T. Tucker, |
| John S. Carpenter, | Bryan S. McClure, | T. W. Varnon, |
| George Carter, | William J. McElroy, | E. F. Waide, |
| B. E. Cassilly, | M. E. McKenzie, | J. L. Waring, |
| James S. Chrisman, | T. J. Megibben, | C. H. Webb, |
| C. M. Clay, jr., | J. C. Moorman, | J. M. White, |
| J. Guthrie Coke, | W. A. Morin, | F. A. Wilson, |
| Wm. G. Conrad, | Wm. Mynhier, | S. H. Woolfolk, |
| R. L. Cooper, | J. L. Nall, | J. M. Wright—54. |
| Joseph M. Davidson, | John W. Ogilvie, | |

The question was then taken on the adoption of the resolution reported by the majority of said Board, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Evans, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary), | W. W. Deaderick, | Lewis Potter, |
| Wm. A. Allen, | John W. Dyer, | W. L. Reeves, |
| George W. Anderson, | M. Woods Ferguson, | E. A. Robertson, |
| A. C. Armstrong, | T. S. Fish, | John Rowan, |
| A. S. Arnold, | James B. Fitzpatrick, | John P. Rowlett, |
| W. W. Ayers, | C. D. Foote, | J. P. Sacksteder, |
| G. W. Bailey, | James Garnett, | J. R. Sanders, |
| Alpheus W. Bascom, | E. A. Graves, | Samuel M. Sanders, |
| W. N. Beckham, | C. P. Gray, | C. C. Scales, |
| John A. Bell, | Clinton Griffith, | James W. Snyder, |
| S. C. Bell, | Wm. A. Hoskins, | Wm. Tarlton, |
| J. C. S. Blackburn, | George M. Jessee, | J. S. Taylor, |
| Wm. F. Bond, | E. Polk Johnson, | C. W. Threlkeld, |
| W. B. M. Brooks, | T. M. Johnson, | Harry I. Todd, |
| W. W. Bush, | T. J. Jones, | L. W. Trafton, |
| Robert M. Carlisle, | J. S. Lawson, | Joseph T. Tucker, |
| John S. Carpenter, | Bryan S. McClure, | T. W. Varnon, |
| George Carter, | Wm. J. McElroy, | E. F. Waide, |
| B. E. Cassilly, | M. E. McKenzie, | J. L. Waring, |
| James S. Chrisman, | T. J. Megibben, | C. H. Webb, |
| C. M. Clay, jr., | J. C. Moorman, | J. M. White, |
| J. Guthrie Coke, | W. A. Morin, | F. A. Wilson, |

| | | |
|---|---|---|
| Wm. G. Conrad, | Wm. Mynhier, | S. H. Woolfolk, |
| R. L. Cooper, | J. L. Nall, | J. M. Wright—74. |
| Joseph M. Davidson, | John W. Ogilvie, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Thomas P. Cardwell, | Manlius T. Flippin, | Julian N. Phelps, |
| Josiah H. Combs, | J. P. Hampton, | Hiram S. Powell, |
| J. E. Cosson, | G. W. Little, | William Sellers, |
| Walter Evans, | J. A. McCampbell, | Jonas D. Wilson—14. |
| W. H. Evans, | Mat. Nunan, | |

Mr. Mordecai Williams being present, and having taken the oath required by law, was declared by the Speaker to be the duly elected member of this House from the counties of Boyd and Carter, and that portion of Elliott voting therewith; and as such he repaired to his seat.

Mr. Waring read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the committee in the Williams-Culbertson contested election case be directed to report the expenses incurred to this House, and that the same be certified to the Auditor for payment.

Mr. Beckham offered the following resolution, viz:

*Resolved*, That the use of this Hall be tendered to Captain S. A. Lee for the purpose of delivering a free lecture; subject, "God in the Ocean." The lecture will be delivered to-morrow (Wednesday) evening at eight o'clock.

Which was adopted.

On motion of Mr. Graves, the House took up a bill, entitled

A bill to amend existing laws relating to testimony.

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, Monday, 22d instant, at 11 o'clock, A. M.

Mr. Baker, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act to change the county of Allen from the 6th to the 4th judicial district,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

On motion of Mr. Reeves,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow, at half-past ten o'clock, A. M.

On motion of Mr. Scales, leave was given to bring in a bill to provide for the payment of fees to circuit clerks in felony cases.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the same.

And then the House adjourned.

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## WEDNESDAY, JANUARY 17, 1872.

A message was received from the Senate, announcing that they had concurred in the adoption of a resolution, which originated in the House of Representatives, entitled

Resolution requesting Governor to return, unsigned, a certain bill.

That they had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of the Garrard County and Kirksville Turnpike Road Company.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869.

2. An act for the benefit of L. H. Oakley and W. W. Letton, of Laurel county.

3. An act amending section 1 of an act, approved February 27th, 1860, entitled "An act to incorporate the Eminence Seminary Company."

4. An act to create the office of auditor for Warren county.

5. An act to amend section 1, article 1, chapter 4, of the Revised Statutes.

6. An act to regulate the sale of spirituous and vinous liquors in Uniontown and Caseyville.

7. An act to incorporate Uniontown, Princeton, and Southern Railroad Company.

8. An act for the benefit of the Maysville and Lexington Railroad Company, Northern Division.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st, 7th, and 8th to the Committee on Railroads; the 2d to the Committee on Claims; the 3d to the Committee on Corporate Institutions; the 4th to the Committee on County Courts; the 5th to the Committee on the Revised Statutes; and the 6th to the Committee on Religion.

The following petitions and remonstrance were presented, viz:

By Mr. Varnon—

1. The petition of citizens of Stanford, Lincoln county, praying for a modification of the liquor license laws of said town.

By Mr. Sellers—

2. The remonstrance of certain citizens of Lancaster, against the repeal of the law giving the trustees of said town the right to grant tavern license.

By Mr. Nunan—

3. The petition of the directors and stockholders of the Springfield and Bloomfield Turnpike Road Company, praying the passage of an act to prevent loose stock from running on said road.

By Mr. Gray—

4. The petition of certain citizens of Clinton county, praying that an act may be passed giving compensation for the scalps of grey foxes.

By Mr. Davidson—

5. The petition of certain citizens of Martin county, praying the passage of an act authorizing and directing the officers of that county to cause an election to be held to choose and establish a site for the seat of justice of said county.

By Mr. Arnold—

6. The petition of D. Ray and others, praying that certain lots therein named, in the town of Columbus, may be exempted from the payment of municipal tax, except what may be necessary to pay principal and interest of certain outstanding bonds of said town.

By Mr. Dyer—

7. The petition of sundry citizens of precinct No. 10, Union county, praying that said district may be made a magisterial district.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 4th, and 5th to the Committee on Propositions and Grievances; the 2d and 6th to the Committee on Corporate Institutions; and the 7th to the Committee on County Courts.

Mr. W. Evans moved that the Clerk be directed to report to the Senate, as passed, a bill, entitled

An act to amend the charter of the city of Hopkinsville.

And the question being taken thereon, it was decided in the affirmative.

Thereupon Mr. Waide moved to reconsider the vote by which the motion of Mr. W. Evans was adopted.

And the question being taken thereon, it was decided in the affirmative.

And so the Clerk was directed to withhold said report until the further order of the House.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the annual court of claims of Bath county;

An act for the benefit of W. A. Foutz, surety for B. T. Haydon, late sheriff of Rowan county;

An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

An act to amend an act to establish an additional voting precinct in Carter county, approved March 10, 1870;

And also enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to change the time of holding the court of common pleas in Ballard county;

An act authorizing the clerk of the Fleming county court to make up and correct omissions in the records of said court;

An act to authorize a committee appointed by the Kenton county court of claims to sell the poor-house farm of said county;

An act to amend an act to incorporate the Allensville Turnpike Company, in Clark county;

An act to amend an act to incorporate the Montgomery and Bath Counties Associated Turnpike Road Company;

An act to provide for the existing deficit in the Treasury;

An act for the benefit of Wm. McMurtry, of Monroe county;

An act to provide for recording deeds to burial lots in Green Lawn Cemetery, at Franklin;

Resolution providing pay of pages and other employees of the General Assembly;

Resolution in regard to Public Printer and Public Binder;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

On motion of Mr. Anderson, the Committee on Corporate Institutions was discharged from the consideration of the leave to bring in a bill repealing an act for the benefit of O. C. Bowles and others, &c., and the Committee on the Judiciary directed to prepare and bring in the same.

Mr. Flippin read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the respective Houses of the General Assembly adjourn on Friday, the 2d day of February next, they shall stand adjourned *sine die*.

On motion of Mr. Blackburn, the House took up the joint resolution heretofore offered by him.

Said resolution was then read a second time as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Committee on Charitable Institutions of the House of Representatives, and the like committee of the Senate, be, and they are hereby, directed to proceed to visit the several charitable institutions of this Commonwealth, and examine into the present condition and management thereof; and they are hereby instructed to make a full and complete report of such visit of examination to their respective Houses within the next thirty days.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Flippin and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John S. Carpenter, | Wm. A. Hoskins, |
| Wm. A. Allen, | George Carter, | T. M. Johnson, |
| A. C. Armstrong, | C. M. Clay, jr., | T. J. Jones, |
| A. S. Arnold, | Josiah H. Combs, | J. S. Lawson, |
| G. W. Bailey, | R. L. Cooper, | Julian N. Phelps, |
| Alpheus W. Bascom, | John W. Dyer, | W. L. Reeves, |
| W. N. Beckham, | Walter Evans, | J. R. Sanders, |
| John A. Bell, | M. Woods Ferguson, | Joseph T. Tucker, |

| | | |
|---|---|---|
| S. C. Bell, | James B. Fitzpatrick, | T. J. Walker, |
| J. C. S. Blackburn, | C. D. Foote, | Mordecai Williams, |
| Wm. F. Bond, | James Garnett, | J. N. Woods, |
| W. B. M Brooks, | Wm. Cassius Goodloe, | S. H. Woolfolk, |
| W. W. Bush, | Clinton Griffith, | J. M. Wright—39. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | J. J. McAfee, | C. C. Scales, |
| Church H. Blakey, | J. A. McCampbell, | William Sellers, |
| Robert M. Carlisle, | Bryan S. McClure, | James W. Snyder, |
| James S. Chrisman, | William J. McElroy, | Wm. Tarlton, |
| William G. Conrad, | M. E. McKenzie, | J. S. Taylor, |
| Thomas H. Corbett, | J. C. Moorman, | C. W. Threlkeld, |
| J. E. Cosson, | W. A. Morin, | Harry I. Todd, |
| W. W. Deaderick, | J. L. Nall, | L. W. Trafton, |
| W. H. Evans, | Mat. Nunan, | T. W. Varnon, |
| T. S. Fish, | John W. Ogilvie, | E. F. Waide, |
| Manlius T. Flippin, | Lewis Potter, | J. L. Waring, |
| E. A. Graves, | Hiram S. Powell, | C. H. Webb, |
| C. P. Gray, | E. A. Robertson, | J. M. White, |
| J. P. Hampton, | John Rowan, | F. A. Wilson, |
| E. Polk Johnson, | John P. Rowlett, | Jonas D. Wilson—46. |
| G. W. Little, | | |

And so said resolution was rejected.

Mr. Griffith, from the joint committee appointed to wait on the Governor and request him to return to this House, unsigned, an enrolled bill, which originated in this House, entitled

An act to amend the charter of the Owensboro and Russellville Railroad,

Reported that the committee had discharged that duty, and laid said bill on the Clerk's table.

The House, according to order, took up for further consideration a bill from the Senate, entitled

An act to change the county of Allen from the 6th to the 4th judicial district.

Mr. Flippin moved to recommit said bill to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

And so the House refused to recommit said bill.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the affirmative.

Said bill was then read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county of Allen be added to the 4th judicial district in this State; and that the judge of the 4th judicial district be, and he is hereby, required to hold the circuit courts in said county.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Phelps and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| G. W. Bailey, | George M. Jessee, | Samuel M. Sanders |
| S. C. Bell, | Thos. M. Johnson, | James W. Snyder, |
| James S. Chrisman, | J. S. Lawson, | Wm. Tarlton, |
| John W. Dyer, | W. J. McElroy, | J. S. Taylor, |
| M. Woods Ferguson, | W. A. Morin, | C. W. Threlkeld, |
| Manlius T. Flippin, | J. L. Nall, | C. H. Webb, |
| James Garnett, | Lewis Potter, | Jonas D. Wilson, |
| C. P. Gray, | John P. Rowlett, | S. H. Woolfolk—26. |
| Wm. A. Hoskins, | J. R. Sanders, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. M. Clay, jr., | Mat. Nunan, |
| Wm. A. Allen, | Wm. G. Conrad, | Julian N. Phelps, |
| George W. Anderson, | R. L. Cooper, | W. L. Reeves, |
| A. C. Armstrong, | J. E. Cosson, | E. A. Robertson, |
| A. S. Arnold, | Joseph M. Davidson, | John Rowan, |
| W. W. Ayers, | W. W. Deaderick, | C. C. Scales, |
| Alpheus W. Bascom, | Walter Evans, | Wm. Sellers, |
| W. N. Beckham, | T. S. Fish, | Harry I. Todd, |
| John A. Bell, | James B. Fitzpatrick, | L. W. Trafton, |
| J. C. S. Blackburn, | C. D. Foote, | Joseph T. Tucker, |
| Church H. Blakey, | Wm. Cassius Goodloe, | T. W. Varnon, |
| Wm. F. Bond, | Clinton Griffith, | E. F. Waide, |
| W. B. M. Brooks, | E. Polk Johnson, | T. J. Walker, |
| Thomas P. Cardwell, | J. J. McAfee, | J. L. Waring, |
| Robert M. Carlisle, | J. A. McCampbell, | J. M. White, |
| John S. Carpenter, | Bryan S. McClure, | Mordecai Williams, |
| George Carter, | M. E. McKenzie, | F. A. Wilson, |
| B. E. Cassilly, | J. C. Moorman, | J. M. Wright—54. |

And so said bill was disagreed to.

Mr. McAfee read and laid on the table the following preamble and joint resolutions, viz:

WHEREAS, The remains of the Hon. John Adair, once Governor of this Commonwealth, one of the first Senators in the Congress of the United States from this State, a member of the 22d Congress, and the commander of the Kentucky troops at the battle of New Orleans under General Jackson, all of which positions he filled with eminent

distinction and success, lie buried in a private and unfrequented spot in Mercer county; and whereas, it is eminently proper and befitting that the same respect should be paid to his memory and distinguished services that have been paid to other illustrious Kentuckians; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That His Excellency, the Governor, be directed to have the remains of ex-Governor John Adair disinterred and removed to the cemetery at Frankfort, and that he cause a suitable and appropriate monument to be erected to his memory in said cemetery.

2. That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer for the amount of the expenses that may be incurred by the Governor in executing the duties imposed upon him by the foregoing resolution.

On motion of Mr. McAfee, the rule requiring joint resolutions to lie one day on the table was suspended, and the said preamble and resolutions taken up.

Amendments thereto were offered by Messrs. Graves and Hoskins.

On motion of Mr. Graves, the said preamble and resolutions, together with amendments proposed thereto, were referred to the Committee on Religion.

At twenty-five minutes past one o'clock, P. M., Mr. Scales moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | John W. Dyer, | Wm. Mynhier, |
| A. C. Armstrong, | M. Woods Ferguson, | Hiram S. Powell, |
| A. S. Arnold, | T. S. Fish, | W. L. Reeves, |
| G. W. Bailey, | James B. Fitzpatrick, | John Rowan, |
| J. C. S. Blackburn, | C. D. Foote, | J. R. Sanders, |
| W. W. Bush, | Wm. A. Hoskins, | C. C. Scales, |
| John S. Carpenter, | E. Polk Johnson, | William Tarlton, |
| George Carter, | J. S. Lawson, | E. F. Waide, |
| B. E. Cassilly, | J. J. McAfee, | J. M. White, |
| J. E. Cosson, | J. A. McCampbell, | J. N. Woods—31. |
| W. W. Deaderick, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James Garnett, | John P. Rowlett, |
| Wm. A. Allen, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| W. W. Ayers, | E. A. Graves, | Wm. Sellers, |
| Alpheus W. Bascom, | C. P. Gray, | James W. Snyder, |
| W. N. Beckham, | Clinton Griffith, | J. S. Taylor, |
| John A. Bell, | T. M. Johnson, | C. W. Threlkeld, |

S. C. Bell,
Church H. Blakey,
Wm. F. Bond,
W. B. M. Brooks,
Thomas P. Cardwell,
Robert M. Carlisle,
James S. Chrisman,
C. M. Clay, jr.,
William G. Conrad,
Joseph M. Davidson,
Walter Evans,
W. H. Evans,
Manlius T. Flippin,
T. J. Jones,
G. W. Little,
Bryan S. McClure,
Wm. J. McElroy,
M. E. McKenzie,
J. C. Moorman,
W. A. Morin,
J. L. Nall,
Mat. Nunan,
John W. Ogilvie,
Julian N. Phelps,
Lewis Potter,
E. A. Robertson,
Harry I. Todd,
L. W. Trafton,
Joseph T. Tucker,
T. W. Varnon,
T. J. Walker,
J. L. Waring,
C. H. Webb,
Mordecai Williams,
F. A. Wilson,
Jonas D. Wilson,
S. H. Woolfolk,
J. M. Wright—56.

And so the House refused to adjourn at that hour.

The House then took up from the orders of the day the unfinished order of yesterday, viz: the further consideration of a bill, entitled

A bill to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

After some discussion thereon, on motion of Mr. Davidson,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow, at eleven o'clock, A. M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Garnett—

1. A bill to repeal an act for the benefit of the incorporated banks of Kentucky, approved March 16, 1871.

On motion of same—

2. A bill to repeal an act providing compensation for the clerk of the Jefferson circuit court in criminal cases, approved February 28th, 1865.

On motion of Mr. Cardwell—

3. A bill for the benefit of Anderson C. Butler, of Breathitt county.

On motion of same—

4. A bill for the benefit of Wm. M. Combs, of Breathitt county.

On motion of same—

5. A bill to incorporate the town of Jackson, in Breathitt county.

On motion of Mr. Morin—

6. A bill requiring the owners of land bordering on the Ohio river, in Campbell county, to drain the same by ditching.

On motion of Mr. Tucker—

7. A bill for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company.

On motion of same—

8. A bill for the benefit of Montgomery Lodge, No. 23, Free and Accepted Masons.

On motion of Mr. Griffith—

9. A bill to amend chapter 86 of the Revised Statutes.

On motion of Mr. Goodloe—

10. A bill to incorporate the Lexington Building and Accumulating Fund Association.

On motion of Mr. T. M. Johnson—

11. A bill to create an additional voting precinct in Green county.

On motion of Mr. Snyder—

12. A bill to resurvey and remark the county line between the counties of Hancock and Ohio.

On motion of same—

13. A bill for the benefit of school district No. 19, in Hancock county.

On motion of same—

14. A bill to enable the county court of Hancock county to levy a tax for the purpose of working the public roads.

On motion of Mr. Trafton—

15. A bill to establish a system of public schools in Corydon, Henderson county.

On motion of Mr. Woolfolk—

16. A bill to amend the charter of Nebo, in Hopkins county.

On motion of Mr. Fitzpatrick—

17. A bill to amend chapter 2103, Session Acts, approved March 11, 1871.

On motion of same—

18. A bill to incorporate Whitesburg, in Letcher county.

On motion of same—

19. A bill to change the time of holding the quarterly courts in Perry county.

On motion of same—

20. A bill to change the time of holding the quarterly courts in Letcher county.

On motion of Mr. Walker—

21. A bill to amend the charter of the Lewis and Mason Turnpike Road.

On motion of Mr. Blakey—

22. A bill to authorize the sheriffs of this Commonwealth to sell real estate for lands.

On motion of Mr. Waide—

23. A bill for the benefit of the State House of Reform.

On motion of Mr. Wright—

24. A bill to regulate further the drawing of standing jurors for the Jefferson circuit court.

On motion of Mr. Cassilly—

25. A bill to amend an act regarding sheriffs in the Commonwealth of Kentucky, approved March 21, 1870.

On motion of same—

26. A bill for the benefit of St. Joseph's Industrial School for Boys, in Louisville.

On motion of Mr. Speaker (McCreary)—

27. A bill to amend the charter of the Richmond, Union, and Kentucky River Turnpike Road Company.

On motion of same—

28. A bill to incorporate the Muddy Creek and Boonesboro Turnpike Road Company.

On motion of Mr. Graves—

29. A bill to increase the civil and criminal jurisdiction of the Lebanon police court, in Marion county.

On motion of Mr. Ogilvie—

30. A bill to amend the charter of the Elizabethtown and Paducah Railroad.

On motion of same—

31. A bill for the benefit of McCracken county.

On motion of same—

32. A bill to provide for the assessment of property in McCracken county for railroad purposes.

On motion of same—

33. A bill for the benefit of J. B. Wiley, of McCracken county.

On motion of same—

34. A bill for the benefit of John Ewell, of McCracken county.

On motion of same—

35. A bill to change the time of holding the McCracken county court of claims.

On motion of Mr. Moorman—

36. A bill to extend the corporate limits of the town of Paradise.

On motion of Mr. Beckham--

37. A bill to repeal an act authorizing county courts to make compensation to county clerks under pension laws.

On motion of Mr. Taylor--

38. A bill for the benefit of Ancil H. Cobb.

On motion of Mr. Tarlton—

39. A bill to amend an act to incorporate the town of Pewee Valley, approved March 14, 1870.

On motion of Mr. J. A. Bell—

40. A bill to explain an act to incorporate the Frankfort, Paris, and Big Sandy Railroad.

On motion of Mr. Bush—

41. A bill to amend the charter of the town of Franklin.

On motion of Mr. Little—

42. A bill to amend an act to cause good school-houses to be erected in the 8th and 9th Congressional Districts.

On motion of Mr. Deaderick—

43. A bill to amend the charter of the Pendleton Academy.

On motion of same—

44. A bill to authorize the trustees of Falmouth, in Pendleton county, to invest six thousand dollars in stock of the Falmouth and Milford Turnpike Road Company.

On motion of Mr. Walter Evans—

45. A bill to repeal all laws of this State which require other qualifications than those prescribed by section 8, article 2, of the Constitution, for voters in any election, whether State, county, city, or town.

On motion of Mr. Bascom—

46. A bill for the benefit of James Greenwade, of Menifee county.

On motion of Mr. Jessee—

47. A bill to legalize the subscription of stock by the court of claims of Henry county to the New Castle and Kentucky River Turnpike Road Company.

On motion of same—

48. A bill for the benefit of Solomon Tingle, of Henry county.

On motion of same—

49. A bill to amend the turnpike tax law of Henry county.

On motion of same—

50. A bill to change the time of holding the quarterly court of Henry county.

On motion of Mr. Davidson—

51. A bill to amend the road laws of this Commonwealth.

On motion of Mr. Todd—

52. A bill to charter the Covington, Kentucky, and Chattanooga, Tennessee, Railroad Company, by way of the city of Frankfort.

On motion of Mr. Dyer—

53. A bill creating a new magisterial district in Union county.

*Ordered*, That the Committee on Banks prepare and bring in the 1st; the Committee on the Revised Statutes the 2d, 7th, 8th, 17th, 24th, 37th, and 38th; the Committee on Circuit Courts the 3d; the Committee on Education the 4th, 13th, 15th, 42d, and 43d; the Committee on Corporate Institutions the 5th, 18th, 26th, 36th, and 39th; the Committee on Agriculture and Manufactures the 6th; the Committee on the Judiciary the 9th, 10th, 22d, 41st, and 45th; the Committee on County Courts the 11th, 12th, 14th, 19th, 20th, 30th, 31st, 32d, 34th, 35th, 47th, 50th 51st, and 53d; the Committee on Propositions and Grievances the 16th and 25th; the Committee on Internal Improvement the 21st, 27th, 28th, 40th, 44th, and 49th; the Committee on Charitable Institutions the 23d and 48th; the Committee on Claims the 33d; the Committee on Ways and Means the 46th; the Committee on Railroads the 52d; and a select committee, consisting of Messrs. Graves, Garnett, and Corbett, the 29th.

And then the House adjourned.

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## THURSDAY, JANUARY 18, 1872.

The following petitions and remonstrances were presented, viz:

By Mr. Corbett—

1. The petition of sundry citizens of Lovelaceville, Ballard county, praying the passage of an act to authorize the town authorities to establish a lock-up for violators of the law.

By Mr. McAfee—

2. The petition of sundry citizens in the 2d magisterial district of Mercer county, praying the passage of a prohibitory liquor law; and

also the remonstrance of certain other citizens in said district against the passage of such law.

By same—

3. The petition of certain officers of Mercer county, praying that they be allowed to pass toll-gates free on the turnpike roads of said county whilst on official business.

By Mr. Goodloe—

4. The petition of certain colored citizens of Lexington and Fayette county, praying that assistance be given them for the education of their children.

By same—

5. The petition of citizens of the city of Lexington and of Fayette county, praying the passage of a law to allow taxes and tithes paid by colored people to be used for the education of their children.

By Mr. Todd—

6. The petition of certain citizens of Franklin county, praying the passage of a law to prevent the sale of ardent spirits near Benson Baptist Church, in said county.

By Mr. Reeves—

7. The petition of certain citizens of Todd county, in district No. 5, praying the passage of a law to prohibit the traffic in ardent spirits in said district.

By Mr. Trafton—

8. The petition of sundry citizens of Henderson county, praying for the passage of an act creating an additional voting precinct in said county.

By Mr. Arnold—

9. The remonstrance of certain citizens of Columbus, against the passage of an act to exempt certain property in said town from taxation.

Which were received, the 5th read, the reading of the others dispensed with, and referred—the 1st and 7th to the Committee on the Judiciary; the 2d and 6th to the Committee on Religion; the 3d and 9th to the Committee on Propositions and Grievances; the 4th and 5th to the Committee on Education; and the 8th to the Committee on the Revised Statutes.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Madisonville.

An act for the benefit of Warren county.

An act to authorize the Hancock county court to increase the county levy.

An act for the benefit of Crittenden county.

An act to change the time of holding the quarterly courts in Ballard county.

An act to amend the charter of the Harrison County Agricultural Society.

With an amendment to the last named bill.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act incorporating the Walton Agricultural and Mechanical Association, in Boone county.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the Mulberry and Consolation Turnpike Road Company, in Shelby county.

2. An act to incorporate the Owenton and Twin Creek Turnpike Road Company.

3. An act to incorporate the West Liberty and Cross Roads Turnpike Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Internal Improvement, and the 2d and 3d to the Committee on Corporate Institutions.

Mr. McElroy, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Garrard County and Kirksville Turnpike Road Company;

Resolution requesting Governor to return, unsigned, a certain bill;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. McElroy inform the Senate thereof.

The Speaker laid before the House the report of the Commissioners of the State House of Reform, viz:

*To His Excellency*, P. H. LESLIE, *Governor of Kentucky:*

SIR: In discharge of our duties as Commissioners for the erection of the State House of Reform for Juvenile Delinquents, we would state that the main building has now been erected, at a cost of thirty-eight thousand seven hundred and eighty-one dollars and seventy-six cents ($38,781 76), exclusive of heating apparatus, fixtures, &c., and but for the last Legislature failing to make sufficient appropriation to put into the present building heating apparatus and other fixtures necessary for the use and comfort of the inmates, and for the erection of work shops and other necessary buildings, and for the inclosure of the grounds, and also for the failure on the part of the last Legislature to provide for the payment of the amount that was appropriated at your last session, we could have had the House ready for occupation by September last.

We would now earnestly ask the present Legislature to provide for the payment of the last appropriation, as it shall be needed to carry on the work, and for an additional appropriation of $25,000 to enable us to complete the work and make it ready for occupation.

We herewith submit a statement of receipts and expenditures since our last annual report:

| | | |
|---|---|---|
| To amount drawn from Treasury | | $20,000 00 |
| To amount received for rents | | 358 75 |
| To hay and fruit sold | | 55 00 |
| | | $20,413 75 |
| CREDIT. | | |
| Amounts paid on contracts, as per receipts | $15,781 76 | |
| | | 15,781 76 |
| Amount on hand, subject to draft | | $4,631 99 |

R. C. HUDSON,
A. C. VALLANDINGHAM,
*Commissioners.*

On motion of Mr. Waide, the Public Printer was ordered to print the usual number of copies for the use of this House.

On motion of Mr. Hoskins, the Public Printer was directed to print five hundred copies of the annual report of the Deaf and Dumb Asylum at Danville for use of said Asylum.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Rowlett, from the Committee on Banks—

A bill for the benefit of the Northern Bank of Kentucky.

By Mr. E. Polk Johnson, from the Committee on Codes of Practice—

A bill regulating the taking of bail bonds.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be printed, and that the further consideration thereof be postponed to, and made the special order of the day, the 1st for Wednesday, January 24th, at 11 o'clock, A. M., and the 2d for January 25th, at 11 o'clock, A. M.

On motion of Mr. Carlisle, the House took up for further consideration a bill from the Senate, entitled

An act repealing an act approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies."

Mr. Cooper offered an amendment to said bill.

*Ordered*, That said bill and amendment be recommitted to the Committee on the Judiciary.

On motion of Mr. Ogilvie, Mr. Corbett was added to the Committee on Internal Improvement.

On motion of Mr. Davidson, Mr. Williams was added to the Committees on Propositions and Grievances, Education, and the Penitentiary.

Mr. Blackburn, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act for the benefit of the Maysville and Lexington Railroad Company, Northern Division,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Graves, by unanimous consent, read and laid on the table the following preamble and resolution, viz:

WHEREAS, By order of the Louisville chancery court, rendered on the 7th day of May, 1870, all of the policy-holders in what is known as the Kentucky Insurance Company against Osborne and others, had their policies canceled, and the country believed that an end had been put to one of the most stupendous frauds and swindles known to legislative history or judical proceedings; and whereas, the same court has, by a recent order, but by a *pro tem.* chancellor, set aside the order of the 7th of May, 1870, and again opened up the flood gates of fraud and corruption, and undertaken to breathe the breath of life into that which had been dead since May 7, 1870; therefore, be it

*Resolved*, That the Judiciary Committee be instructed to inquire what legislation is necessary to protect the people of Kentucky in their rights as guaranteed to them by the Constitution of the State; and that they be instructed to bring in a bill modifying the 37th section of the Code of Practice, so that the citizens of this Commonwealth, who are policy-holders in said company, may have their cases tried in the counties in which they reside, and to amend the jurisdiction of the chancery court in Louisville, so that it shall not be lawful for said court to entertain jurisdiction in any cause of action growing out of the Kentucky, Globe, or Hope Insuranee Companies, or any other insurance companies, unless the policy-holders reside in Jefferson county; and that they report by Monday, at 11 o'clock, by bill or otherwise.

The rules being suspended, the said preamble and resolution were taken up, again read, and adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Varnon—

1. A bill to repeal in part an act in relation to official sales in Boyle and Lincoln counties, approved March 7th, 1871.

On motion of Mr. Goodloe—

2. A bill to amend the charter of the Lexington Library.

On motion of Mr. Potter—

3. A bill to amend an act incorporating the town of Rich Pond, in Warren county.

On motion of Mr. Carpenter—

4. A bill for the benefit of persons owning lands binding on the part of Mann's Lick road, alias Saratoga street, alias Pope street, beyond Broadway, in Louisville, and its intersection with Rothwell street.

On motion of Mr. Blakey—

5. A bill to further define the duties of clerks of circuit, chancery, and county courts of this Commonwealth.

On motion of Mr. Carpenter—

6. A bill for the establishment of public schools for the colored children of this Commonwealth.

*Ordered*, That the Committee on County Courts prepare and bring in the 1st; the Committee on the Library the 2d; the Committee on Corporate Institutions the 3d; the Committee on the Judiciary the 4th; the Committee on the Revised Statutes the 5th; and the Committee on Education the 6th.

Mr. Todd moved to refer to the Committee on Military Affairs the memorial of certain citizens of Franklin county in regard to certain alleged lawlessness in said county.

Pending discussion on said motion, the hour for taking up a special order arrived, and the same was laid over.

And then, according to order, the House resumed the consideration of a bill, entitled

A bill to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

Mr. Graves moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ogilvie and Foote, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | James B. Fitzpatrick, | John W. Ogilvie, |
| W. W. Ayers, | Manlius T. Flippin, | Lewis Potter, |
| G. W. Bailey, | James Garnett, | Hiram S. Powell, |
| W. R. Bates, | Wm. Cassius Goodloe, | E. A. Robertson, |
| John A. Bell, | E. A. Graves, | John Rowan, |
| S. C. Bell, | C. P. Gray, | Samuel M. Sanders, |
| Wm. F. Bond, | J. P. Hampton, | William Sellers, |
| Thomas P. Cardwell, | T. M. Johnson, | James W. Snyder, |
| George Carter, | T. J. Jones, | J. S. Taylor, |
| James S. Chrisman, | J. S. Lawson, | C. W. Threlkeld, |
| Josiah H. Combs, | G. W. Little, | Harry I. Todd, |
| R. D. Cook, | J. A. McCampbell, | T. J. Walker, |
| Walter Evans, | Bryan S. McClure, | C. H. Webb, |
| W. H. Evans, | J. C. Moorman, | Jonas D. Wilson, |
| T. S. Fish, | Mat. Nunan, | J. N. Woods—45. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | John P. Rowlett, |
| Wm. A. Allen, | Joseph M. Davidson, | J. P. Sacksteder, |
| A. S. Arnold, | W. W. Deaderick, | J. R. Sanders, |
| Alpheus W. Bascom, | John W. Dyer, | C. C. Scales, |

W. N. Beckham, C. D. Foote, Wm. Tarlton,
J. C. S. Blackburn, Wm. A. Hoskins, L. W. Trafton,
Church H. Blakey, George M. Jessee, Joseph T. Tucker,
W. B. M Brooks, E. Polk Johnson, T. W. Varnon,
W. W. Bush, William J. McElroy, E. F. Waide,
Robert M. Carlisle, M. E. McKenzie, J. L. Waring,
John S. Carpenter, W. A. Morin, J. M. White,
B. E. Cassilly, Wm. Mynhier, Mordecai Williams,
C. M. Clay, jr., J. L. Nall, F. A. Wilson,
J. Guthrie Coke, Julian N. Phelps, S. H. Woolfolk,
William G. Conrad, W. L. Reeves, J. M. Wright—46.
R. L. Cooper,

And so the House refused to order the main question at this time.

Mr. Davidson then moved to recommit the bill to the Committee on Printing.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) W. W. Deaderick, J. R. Sanders,
A. S. Arnold, John W. Dyer, William Tarlton,
W. N. Beckham, Wm. A. Hoskins, L. W. Trafton,
J. C. S. Blackburn, George M. Jessee, Joseph T. Tucker,
Church H. Blakey, E. Polk Johnson, T. W. Varnon,
W. W. Bush, J. S. Lawson, J. L. Waring,
Robert M. Carlisle, Wm. Mynhier, Mordecai Williams,
R. L. Cooper, W. L. Reeves, J. M. Wright—26.
Joseph M. Davidson, J. P. Sacksteder,

Those who voted in the negative, were—

Wm. A. Allen, Walter Evans, John W. Ogilvie,
A. C. Armstrong, W. H. Evans, Julian N. Phelps,
W. W. Ayers, T. S. Fish, Lewis Potter,
G. W. Bailey, James B. Fitzpatrick, Hiram S. Powell,
Alpheus W. Bascom, Manlius T. Flippin, E. A. Robertson,
W. R. Bates, C. D. Foote, John Rowan,
John A. Bell, James Garnett, John P. Rowlett,
S. C. Bell, Wm. Cassius Goodloe, Samuel M. Sanders,
Wm. F. Bond, E. A. Graves, C. C. Scales,
W. B. M. Brooks, C. P. Gray, Wm. Sellers,
Thomas P. Cardwell, J. P. Hampton, James W. Snyder,
John S. Carpenter, T M. Johnson, J. S. Taylor,
George Carter, T. J. Jones, C. W. Threlkeld,
B. E. Cassilly, G. W. Little, Harry I. Todd,
James S. Chrisman, J. A. McCampbell, E. F. Waide,
C. M. Clay, jr., Bryan S. McClure, T. J. Walker,
J. Guthrie Coke, Wm. J. McElroy, C. H. Webb,

| | | |
|---|---|---|
| Josiah H. Combs, | M. E. McKenzie, | J. M. White, |
| William G. Conrad, | J. C. Moorman, | Jonas D. Wilson, |
| R. D. Cook, | W. A. Morin, | J. N. Woods, |
| Thomas H. Corbett, | J. L. Nall, | S. H. Woolfolk—65. |
| J. E. Cosson, | Mat. Nunan, | |

And so the House refused to recommit said bill.

Mr. Hoskins then moved to strike out all after the enacting clause of said bill, and insert in lieu thereof the following, viz:

"That an act, entitled 'An act to authorize the Auditor of Public Accounts to contract with the Public Binder for the binding of the public books,' approved January 26, 1865, be amended as herein:

"§ 1. That the Auditor of Public Accounts shall contract with the Public Binder, on fair and reasonable terms, for the binding of the public books, not exceeding twenty-three per cent. advance on rates previous to the passage of the act to which this is an amendment, which contract shall be examined and approved as now required by law.

"§ 2. That the act to which this is an amendment is hereby repealed, so far as the same is in conflict with this act.

"§ 3. This act shall take effect from the first day of August next."

Mr. Varnon moved to amend the amendment (substitute) offered by Mr. Hoskins as follows, viz:

Strike out the words "twenty-three," in the first section, and insert in lieu thereof the word "fifteen."

And the question being taken on the adoption of the amendment of Mr. Varnon to the amendment proposed by Mr. Hoskins, it was decided in the affirmative.

The question was then taken on the adoption of the substitute as proposed by Mr. Hoskins, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ogilvie and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | J. P. Sacksteder, |
| John A. Bell, | James B. Fitzpatrick, | J. R. Sanders, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | Wm. Tarlton, |
| Church H. Blakey, | George M. Jessee, | L. W. Trafton, |
| W. W. Bush, | E. Polk Johnson, | Joseph T. Tucker, |
| B. E. Cassilly, | J. S. Lawson, | T. W. Varnon, |
| J. Guthrie Coke, | Wm. Mynhier, | Mordecai Williams, |
| R. L. Cooper, | W. L. Reeves, | J. M. Wright—25. |
| Joseph M. Davidson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. H. Evans, | John W. Ogilvie, |
| A. C. Armstrong, | T. S. Fish, | Julian N. Phelps, |

| | | |
|---|---|---|
| A. S. Arnold, | Manlius T. Flippin, | Lewis Potter, |
| W. W. Ayers, | C. D. Foote, | E. A. Robertson, |
| G. W. Bailey, | James Garnett, | John Rowan, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | John P. Rowlett, |
| W. R. Bates, | E. A. Graves, | Samuel M. Sanders |
| W. N. Beckham, | C. P. Gray, | C C. Scales, |
| S. C. Bell, | J. P. Hampton, | Wm. Sellers, |
| Wm. F. Bond, | Thos. M. Johnson, | James W. Snyder, |
| W. B. M Brooks, | T. J. Jones, | J. S. Taylor, |
| Robert M. Carlisle, | G. W. Little, | C. W. Threlkeld, |
| John S. Carpenter, | J. J. McAfee, | Harry I. Todd, |
| George Carter, | J. A. McCampbell, | E. F. Waide, |
| James S. Chrisman, | Bryan S. McClure, | T. J. Walker, |
| Wm. G. Conrad, | W. J. McElroy, | J. L. Waring, |
| R. D. Cook, | M. E. McKenzie, | J. M. White, |
| Thomas H. Corbett, | J. C. Moorman, | F. A. Wilson, |
| J. E. Cosson, | W. A. Morin, | Jonas D. Wilson, |
| John W. Dyer, | J L. Nall, | J. N. Woods, |
| Walter Evans, | Mat. Nunan, | S. H. Woolfolk—63. |

Mr. Clay then offered an amendment to the bill.

Mr. Jessee moved that said bill, together with the salaries of all other officers of this Commonwealth, including the salaries of the members of this General Assembly, be referred to a select Committee on Reform and Reduction.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Coke and Wright, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Wm. Mynhier, |
| John A. Bell, | John W. Dyer, | W. L. Reeves, |
| J. C. S. Blackburn, | James B. Fitzpatrick, | J. P. Sacksteder, |
| Church H. Blakey, | Manlius T. Flippin, | J. R. Sanders, |
| W. W. Bush, | C. D. Foote, | Wm. Tarlton, |
| John S. Carpenter, | Clinton Griffith, | Joseph T. Tucker, |
| J. Guthrie Coke, | Wm. A. Hoskins, | T. W. Varnon, |
| R. L. Cooper, | George M. Jessee, | Mordecai Williams, |
| Joseph M. Davidson, | E. Polk Johnson, | J. M. Wright—27. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | T. S. Fish, | Lewis Potter, |
| A. C. Armstrong, | James Garnett, | Hiram S. Powell, |
| A. S. Arnold, | Wm. Cassius Goodloe, | E. A. Robertson, |
| W. W. Ayers, | E. A. Graves, | John Rowan, |
| G. W. Bailey, | C. P. Gray, | John P. Rowlett, |
| Alpheus W. Bascom, | J. P. Hampton, | Samuel M. Sanders, |
| W. N. Beckham, | T. M. Johnson, | C. C. Scales, |

| | | |
|---|---|---|
| S. C. Bell, | T. J. Jones, | William Sellers, |
| Wm. F. Bond, | J. S. Lawson, | James W. Snyder, |
| W. B. M. Brooks, | G. W. Little, | J. S. Taylor, |
| Robert M. Carlisle, | J. J. McAfee, | C. W. Threlkeld, |
| George Carter, | J. A. McCampbell, | Harry I. Todd, |
| B. E. Cassilly, | Bryan S. McClure, | L. W. Trafton, |
| James S. Chrisman, | Wm. J. McElroy, | E. F. Waide, |
| C. M Clay, jr., | M. E. McKenzie, | T. J. Walker, |
| Josiah H. Combs, | J. C. Moorman, | J. L. Waring, |
| Wm. G. Conrad, | W. A. Morin, | J. M. White, |
| R. D. Cook, | J. L. Nall, | F. A. Wilson, |
| Thomas H. Corbett, | Mat. Nunan, | Jonas D. Wilson, |
| J. E. Cosson, | John W. Ogilvie, | J. N. Woods, |
| Walter Evans, | Julian N. Phelps, | S. H. Woolfolk--64. |
| W. H. Evans, | | |

The amendment proposed by Mr. Clay was then rejected.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of an act, entitled, "An act to authorize the Auditor of Public Accounts to contract with the Public Binder for the binding of the public books," approved January 26, 1865, to pay said Public Binder thirty-three per cent. advance on former rates, be, and the same is hereby, repealed.

§ 2. This act to take effect from and after the 1st day of August next.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and Graves, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Julian N. Phelps, |
| Wm. A. Allen, | Walter Evans, | Lewis Potter, |
| A. C. Armstrong, | W. H. Evans, | Hiram S. Powell, |
| A. S. Arnold, | T. S. Fish, | W. L. Reeves, |
| W. W. Ayers, | Manlius T. Flippin, | E. A. Robertson, |
| G. W. Bailey, | James Garnett, | John Rowan, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | John P. Rowlett, |
| W. R. Bates, | E. A. Graves, | J. R. Sanders, |
| W. N. Beckham, | C. P. Gray, | Samuel M. Sanders, |
| John A. Bell, | Clinton Griffith, | C. C. Scales, |
| S. C. Bell, | J. P. Hampton, | Wm. Sellers, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | James W. Snyder, |
| Church H. Blakey, | George M. Jessee, | William Tarlton, |
| Wm. F. Bond, | E. Polk Johnson, | J. S. Taylor, |
| W. B. M. Brooks, | T. M. Johnson, | C. W. Threlkeld, |
| W. W. Bush, | T. J. Jones, | Harry I. Todd, |

| | | |
|---|---|---|
| Thomas P. Cardwell, | J. S. Lawson, | L. W. Trafton, |
| Robert M. Carlisle, | G. W. Little, | Joseph T. Tucker, |
| John S. Carpenter, | J. J. McAfee, | T. W. Varnon, |
| George Carter, | J. A. McCampbell, | E. F. Waide, |
| B. E. Cassilly, | Bryan S. McClure, | T. J. Walker, |
| James S. Chrisman, | William J. McElroy, | J. L. Waring, |
| C. M. Clay, jr., | M. E. McKenzie, | C. H. Webb, |
| Josiah H. Combs, | J. C. Moorman, | J. M. White, |
| Wm. G. Conrad, | W. A. Morin, | Mordecai Williams, |
| R. D. Cook, | Wm. Mynhier, | F. A. Wilson, |
| Thomas H. Corbett, | J. L. Nall, | Jonas D. Wilson, |
| J. E. Cosson, | Mat. Nunan, | J. N. Woods, |
| Joseph M. Davidson, | John W. Ogilvie, | S. H. Woolfolk—87. |

Those who voted in the negative were—

| | | |
|---|---|---|
| J. Guthrie Coke, | James B. Fitzpatrick, | J. P. Sacksteder, |
| R. L. Cooper, | C. D. Foote, | J. M. Wright—7. |
| John W. Dyer, | | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Dyer offered the following resolution, viz:

*Resolved*, That all the members of the House of Representatives, who have drawn their per diem for the time that elapsed during the recess of the General Assembly, be, and the same are hereby, required to pay the same back to the Treasurer.

Said resolution was laid on the table for the present.

On motion, leave of absence, indefinitely, was granted to Mr. Baker.

Mr. Brooks, from the select committee who were directed to prepare and bring in the same, reported

A bill incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Carpenter, from the Committee on Insurance, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the Western Insurance and Banking Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bush then moved to print said bill, and to postpone the further consideration thereof until Thursday, the 25th inst.

And the question being taken thereon, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

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## FRIDAY, JANUARY 19, 1872.

The following petitions were presented, viz:

By Mr. Waide—

1. The petition of Wm. Cromey, praying that a certain lunatic may be admitted into the Asylum at Lexington.

By Mr. Cardwell—

2. The petition of certain citizens of Powell county, praying the passage of an act to prohibit the sale of ardent spirits in said county.

By Mr. Cook—

3. The petition of certain citizens of Rockcastle county, praying the repeal of an act known as the "Prohibitory Liquor Law," in said county.

By Mr. F. A. Wilson—

4. The petition of Thomas B. Laws, praying the passage of certain laws therein named.

By Mr. McKenzie—

5. The petition of certain citizens of Trigg county, living in the town of Linton, praying the passage of an act amending the charter of said town so as to allow the trustees thereof to grant coffee-house license.

By Mr. Speaker (McCreary)—

6. The petition of the justices of the Madison county court, praying the passage of a law to change the time of the sitting of the court of claims of said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Charitable Institutions; the 2d, 3d, and 4th to the Committee on Religion; and the 5th and 6th to the Committee on County Courts.

On motion, leave of absence, indefinitely, was granted to Messrs. Fish, Nunan, Tarlton, Sellers, and Dyer.

Mr. E. Polk Johnson moved to reconsider the vote by which the House, on a former day, rejected a resolution offered by Mr. Blackburn, entitled

Resolution providing for an examination of the charitable institutions of the State.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Tucker, from the Committee on the Revised Statutes—

An act to amend section 6, article 6, chapter 32, title "Elections," of the Revised Statutes.

By same—

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

By same—

An act to amend section 4, of article 2, of chapter 83, of the Revised Statutes, regulating tax on theatrical performances.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tucker, from the Committee on the Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend section 1, article 21, chapter 28, of the Revised Statutes,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Tucker, from the Committee on the Revised Statutes—

A bill to amend section 2, article 13, chapter 36, of the Revised Statutes.

By same—

A bill to repeal an act, entitled "An act to amend the charter of the town of Lancaster," approved March 11, 1870.

By same—

A bill to amend an act, entitled "An act for the benefit of citizens of Jackson county in relation to the Wilderness Turnpike Road."

By Mr. Wright, from the same committee—

A bill to regulate further the drawing of standing jurors for the Jefferson circuit court.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tucker, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

1. A bill to amend an act, entitled "An act to amend chapter 48 of the Revised Statutes, title 'Idiots and Lunatics.'"

2. A bill to amend chapter 2103, Session Acts, approved March 11, 1867.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the 1st be referred to a select committee, consisting of Messrs. Graves and Tucker, with instructions to report on Monday, the 22d instant, at half-past ten o'clock, A. M., and that the 2d be recommitted to the Committee on Military Affairs.

On motion of Mr. Foote, leave was given to bring in a bill to amend an act to amend the charter of the Covington and Lexington Turnpike Road Company.

*Ordered*, That the Committee on Internal Improvement prepare and bring in the same.

On motion of Mr. Griffith,

*Ordered*, That a committee be appointed to wait on the Senate, and ask to withdraw therefrom the announcement of the passage, by this House, of a bill, entitled

An act to amend the charter of the Owensboro and Russellville Railroad.

And thereupon Messrs. Griffith, Trafton, and Robertson were appointed said committee; who, having communicated said request to the Senate, returned and laid said bill on the Clerk's table.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common school district No. 23, in Livingston county.

An act for the benefit of B. K. Bethurum, late sheriff of Rockcastle county, and his sureties.

An act for the benefit and relief of Haywood Gilbert, former sheriff of Clay county, and his sureties, for the year 1869.

An act for the benefit of Wm. McMurtry, of Monroe county.

An act to provide for the existing deficit in the Treasury.

An act to amend an act to incorporate the Montgomery and Bath Counties Associated Turnpike Road Company.

An act to amend an act to incorporate the Allensville Turnpike Company, in Clark county.

An act to change the time of holding the court of common pleas in Ballard county.

An act to provide for recording deeds to burial lots in Green Lawn Cemetery, at Franklin.

An act to change the time of holding the annual court of claims of Bath county.

An act authorizing the clerk of the Fleming county court to make up and correct omissions in the records of said court.

An act to authorize a committee appointed by the Kenton county court of claims to sell the poor-house farm of said county.

An act for the benefit of the Garrard County and Kirksville Turnpike Road Company.

Resolutions on the death of Rev. R. J. Breckinridge.

Resolution in regard to Public Printer and Public Binder.

Resolution providing pay of pages and other employees of the General Assembly.

Resolution requesting Governor to return, unsigned, a certain bill.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to authorize the county court of Meade county to make a levy and pay debts already contracted by said court.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act for the benefit of the Maysville and Lexington Railroad Company, Northern Division;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Madisonville;

An act for the benefit of Warren county;

An act to authorize the Hancock county court to increase the county levy;

An act for the benefit of Crittenden county;

An act to change the time of holding the quarterly courts in Ballard county;

An act to authorize the county court of Meade county to make a levy and pay debts already contracted by said court;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

According to order, the House then, at half-past ten o'clock, A. M., took up for further consideration a bill, entitled

A bill to amend an act, entitled "An act for the protection of the livery stable-keepers of this Commonwealth," approved January 31, 1871,

With the amendment proposed thereto.

Mr. McCampbell then withdrew the amendment offered by him heretofore, and offered another in lieu thereof.

Mr. Reeves offered an amendment to the amendment of Mr. McCampbell.

On motion of Mr. Flippin, the bill and proposed amendments were recommitted to the Committee on the Judiciary.

Mr. Wright, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 1, article 17, chapter 38, of the Revised Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Tucker,

*Ordered*, That said bill be printed and placed in the orders of the day.

Mr. Fitzpatrick, from the Committee on the Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend an act, approved February 10, 1866, entitled "An act to exempt homesteads from sale for debt,"

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. Evans and Little, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Hiram S. Powell, |
| George W. Anderson, | Joseph M. Davidson, | W. L. Reeves, |
| A. C. Armstrong, | Walter Evans, | E. A. Robertson, |
| A. S. Arnold, | W. H. Evans, | John Rowan, |
| W. W. Ayers, | M. Woods Ferguson, | John P. Rowlett, |
| R. Tarv. Baker, | Manlius T. Flippin, | J. P. Sacksteder, |

| | | |
|---|---|---|
| Alpheus W. Bascom, | C. D. Foote, | J. R. Sanders, |
| W. R. Bates, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| W. N. Beckham, | E. A. Graves, | C. C. Scales, |
| S. C. Bell, | C. P. Gray, | William Sellers, |
| J. C. S. Blackburn, | Clinton Griffith, | C. W. Threlkeld, |
| Wm. F. Bond, | George M. Jessee, | Harry I. Todd, |
| W. B. M. Brooks, | T. J. Jones, | L. W. Trafton, |
| Thomas P. Cardwell, | J. J. McAfee, | T. W. Varnon, |
| John S. Carpenter, | J. A. McCampbell, | E. F. Waide, |
| B. E. Cassilly, | M. E. McKenzie, | T. J. Walker, |
| James S. Chrisman, | W. A. Morin, | J. L. Waring, |
| C. M. Clay, jr., | J. L. Nall, | F. A. Wilson, |
| J. Guthrie Coke, | Mat. Nunan, | Jonas D. Wilson, |
| Josiah H. Combs, | John W. Ogilvie, | J. N. Woods, |
| R. D. Cook, | Julian N. Phelps, | S. H. Woolfolk, |
| R. L. Cooper, | Lewis Potter, | J. M. Wright—67. |
| Thomas H. Corbett, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | T. S. Fish, | J. C. Moorman, |
| G. W. Bailey, | James B. Fitzpatrick, | Wm. Mynhier, |
| John A. Bell | James Garnett, | J. S. Taylor, |
| Church H. Blakey, | E. Polk Johnson, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. S. Lawson, | C. H. Webb, |
| George Carter, | G. W. Little, | Mordecai Williams, |
| Wm. G. Conrad, | Bryan S. McClure, | J. M. White—23. |
| W. W. Deaderick, | Wm. J. McElroy, | |

Mr. Bascom then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the negative.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 6 of an act, entitled "An act to exempt homesteads from sale for debt," approved February 10, 1866, be, and the same is hereby, so amended as hereafter to extend the provisions of said act to every *bona fide* housekeeper with a family within this Commonwealth, irrespective of race or color.

§ 2. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Coke and E. Polk Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Thomas H. Corbett, | Lewis Potter, |
| A. S. Arnold, | J. E. Cosson, | Hiram S. Powell, |
| R. Tarv. Baker, | Walter Evans, | W. L. Reeves, |

Alpheus W. Bascom,
W. R. Bates,
W. N. Beckham,
S. C. Bell,
J. C. S. Blackburn,
Wm. F. Bond,
W. B. M. Brooks,
W. W. Bush,
Thomas P. Cardwell,
John S. Carpenter,
George Carter,
B. E. Cassilly,
James S. Chrisman,
J. Guthrie Coke,
Josiah H. Combs,
R. D. Cook,
R. L. Cooper,
W. H. Evans,
Manlius T. Flippin,
C. D. Foote,
Wm. Cassius Goodloe,
E. A. Graves,
C. P. Gray,
Clinton Griffith,
Wm. A. Hoskins,
T. J. Jones,
G. W. Little,
J. A. McCampbell,
M. E. McKenzie,
W. A. Morin,
J. L. Nall,
Mat. Nunan,
John W. Ogilvie,
Julian N. Phelps,
E. A. Robertson,
John Rowan,
John P. Rowlett,
J. P. Sacksteder,
C. C. Scales,
William Sellers,
C. W. Threlkeld,
Harry I. Todd,
L. W. Trafton,
T. W. Varnon,
E. F. Waide,
T. J. Walker,
J. L. Waring,
Mordecai Williams,
Jonas D. Wilson,
J. N. Woods,
J. M. Wright—60.

Those who voted in the negative, were—

Mr. Speaker (M'Creary)
Wm. A. Allen,
W. W. Ayers,
G. W. Bailey,
John A. Bell,
Church H. Blakey,
Robert M. Carlisle,
C. M. Clay, jr.,
William G. Conrad,
W. W. Deaderick,
James B. Fitzpatrick,
James Garnett,
George M. Jessee,
E. Polk Johnson,
J. S. Lawson,
Bryan S. McClure,
William J. McElroy,
J. C. Moorman,
Wm. Mynhier,
J. R. Sanders,
Samuel M. Sanders,
J. S. Taylor,
Joseph T. Tucker,
J. M. White,
F. A. Wilson,
S. H. Woolfolk—26.

*Resolved*, That the title of said bill be as aforesaid.

The hour of twelve o'clock having arrived, the House proceeded to the orders of the day, and took up the amendment proposed by the Senate, to a bill which originated in this House, entitled

An act to amend the charter of the town of Winchester.

Said amendment was concurred in.

The House then took up the motion to reconsider the vote by which this House passed a bill from the Senate, entitled

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, or gravel roads.

And the question being taken on the motion to reconsider said vote, it was decided in the negative.

And so the House refused to reconsider said vote.

The Clerk was directed to report said bill to the Senate as passed by this House.

The House then took up for further consideration a bill, entitled

A bill to amend sections 24, 29, and 827, of the Civil Code of Prac-

tice, regulating the jurisdiction and pleadings of quarterly courts and justices of the peace.

Mr. Varnon offered a substitute by way of amendment to said bill.

On motion of Mr. W. Evans, said bill and amendment were recommitted to the Committee on the Judiciary, with instructions to report on Tuesday, the 23d instant, at eleven o'clock.

And then the House adjourned.

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## SATURDAY, JANUARY 20, 1872.

The following petitions were presented, viz:

By Mr. McClure—

1. The petition of sundry citizens of the county of Russell, praying the passage of an act to prevent driving with hounds on their lands.

By Mr. Coke—

2. The petition of the chancellor, judges, and members of the bar of Louisville and Jefferson county, praying the passage of an act providing for the appointment of official reporters, and for the preservation of evidence in certain cases, in Jefferson county.

By Mr. Williams—

3. The petition of L. T. Moore, J. R. Botts, and others, praying for the creation of a chancery court in the county of Greenup, and in the 16th judicial district.

By Mr. Bates—

4. The petition of citizens of Warren county, praying the passage of an act to submit the question of retailing spirits to a vote of the people.

By Mr. Chrisman—

5. The petition of H. W. Tuttle, clerk of the Wayne circuit court, praying the passage of a law allowing compensation to clerks in felony cases.

By Mr. Waring—

6. The petition of E. F. Dulin and others, praying for the establishment of a chancery court, to be composed of Greenup and certain counties of the 16th judicial district.

By Mr. Hoskins—

7. The petition of sundry citizens of Parksville, Boyle county, praying the passage of an act to increase the powers of the marshal of said town.

By Mr. Trafton—

8. The petition of the officers of the town of Sebree City, praying that J. L. Patterson be allowed to sell spirits upon conditions therein named.

By Mr. Waring—

9. The petition of S. Nethercutt, praying to be allowed compensation for carrying certain lunatic paupers to the Asylum.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d, 6th, and 9th to the Committee on the Judiciary; the 3d to the Committee on Circuit Courts; the 4th and 8th to the Committee on Religion; and the 5th and 7th to the Committee on the Revised Statutes.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville Union Depot and Transfer Company.

An act for the benefit of the estate of Thos. H. Crawford.

An act to amend an act to establish an additional voting precinct in Carter county, approved March 10, 1870.

An act for the benefit of W. A. Foutz, surety for B. T. Haydon, late sheriff of Rowan county.

An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

That they had passed a bill, which originated in the House of Representatives, entitled

An act to enable the county of Madison to subscribe to, and to provide means for, an institution of learning in Richmond.

And that they had passed bills of the following titles, viz:

1. An act to amend the laws of evidence in this Commonwealth.

2. An act to incorporate the Grand Central Industrial Exposition.

3. An act to amend an act, entitled "An act to provide for the payment of the State debt."

4. An act to incorporate the Mississippi River Levee Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Corporate Institutions; the 3d to the Committee on the Sinking Fund; and the 4th to the Committee on Internal Improvement.

On motion of T. M. Johnson, it was—

*Ordered*, That it be entered on the Journal that he was detained from the House, on yesterday, by illness, when the vote was taken on the passage of a bill from the Senate, entitled "An act to amend an act, approved February 10, 1866, entitled 'An act to exempt homesteads from sale for debt;'" and that, if he had been present at the time, he would have voted against the passage of the same.

Mr. Griffith moved to suspend the rule requiring a motion to reconsider a vote to be made within three days after the same is taken.

And the question being taken thereon, it was decided in the affirmative.

And thereupon Mr. Griffith moved to reconsider the vote by which this House, on a former day, passed a bill, entitled

An act to amend the charter of the Owensboro and Russellville Railroad.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Griffith then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Griffith then offered an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion, leave of absence, indefinitely, was granted to Messrs. Hampton and Nall.

Mr. Tucker moved to reconsider the vote by which this House, on yesterday, refused to order to be read a third time, and thereby disagreed to, a bill from the Senate, entitled

An act to amend section 1, article 21, chapter 28, of the Revised Statutes.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

On motion of Mr. Tucker, said bill was recommitted to the Committee on the Revised Statutes.

On motion of Mr. Scales, the House took up the motion to reconsider the vote by which this House, on a former day, rejected a resolution, entitled

Resolution providing for an examination of the charitable institutions of the State.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Powell and Blakey, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| R. Tarv. Baker, | Joseph M. Davidson, | John W. Ogilvie, |
| Alpheus W. Bascom, | W. W. Deaderick, | W. L. Reeves, |
| W. N. Beckham, | Walter Evans, | E. A. Robertson, |
| John A. Bell, | W. H. Evans, | J. P. Sacksteder, |
| S. C. Bell, | M. Woods Ferguson, | J. R. Sanders, |
| J. C. S. Blackburn, | James B. Fitzpatrick, | Samuel M. Sanders, |
| Wm. F. Bond, | James Garnett, | C. C. Scales, |
| W. W. Bush, | Wm. Cassius Goodloe, | Joseph T. Tucker, |
| John S. Carpenter, | C. P. Gray, | T. W. Varnon, |
| George Carter, | Clinton Griffith, | E. F. Waide, |
| C. M. Clay, jr., | Wm. A. Hoskins, | T. J. Walker, |
| J. Guthrie Coke, | T. M. Johnson, | J. L. Waring, |
| Josiah H. Combs, | J. S. Lawson, | Mordecai Williams, |
| R. D. Cook, | W. A. Morin, | S. H. Woolfolk—44. |
| R. L. Cooper, | Wm. Mynhier, | |

Those who voted in the negative were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | John Rowan, |
| Wm. A. Allen, | Manlius T. Flippin, | John P. Rowlett, |
| A. C. Armstrong, | E. A. Graves, | J. S. Taylor, |
| A. S. Arnold, | T. J. Jones, | C. W. Threlkeld, |
| W. W. Ayers, | G. W. Little, | Harry I. Todd, |
| G. W. Bailey, | Bryan S. McClure, | L. W. Trafton, |
| W. R. Bates, | M. E. McKenzie, | C. H. Webb, |
| Church H. Blakey, | J. C. Moorman, | J. M. White, |
| Thomas P. Cardwell, | Julian N. Phelps, | F. A. Wilson, |
| James S. Chrisman, | Lewis Potter, | Jonas D. Wilson, |
| Wm. G. Conrad, | Hiram S. Powell, | J. N. Woods—34. |
| Thomas H. Corbett, | | |

And so said vote was reconsidered.

Mr. Bush offered an amendment to said resolution.

Mr. Goodloe offered an amendment to the amendment of Mr. Bush.

Mr. Todd offered a substitute for the amendment and amendment proposed thereto.

The question being taken on the amendment (by way of substitute) offered by Mr. Todd, it was decided in the negative.

And so said amendment was rejected.

The amendment proposed by Mr. Goodloe to the amendment offered by Mr. Bush was then adopted.

The amendment proposed by Mr. Bush, as amended, was then adopted.

Said resolution, as amended, reads as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee, composed of one member of the Senate and two of the House of Representatives, to be selected from the members at present composing the Committees on Charitable Institutions of the two Houses, to be appointed by the Speakers thereof, be, and they are hereby, directed to proceed to visit the several charitable institutions of this Commonwealth and examine into the present condition and management thereof; and they are hereby instructed to make a full and complete report of such visit of examination to their respective Houses by the first day of February next.

And the question being taken on the adoption of said resolution, as amended, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Evans, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Wm. Mynhier, |
| A. C. Armstrong, | Walter Evans, | John W. Ogilvie, |
| R. Tarv. Baker, | W. H. Evans, | W. L. Reeves, |

| | | |
|---|---|---|
| Alpheus W. Bascom, | M. Woods Ferguson, | E. A. Robertson, |
| W. N. Beckham, | James B. Fitzpatrick, | J. P. Sacksteder, |
| John A. Bell, | James Garnett, | C. C. Scales, |
| S. C. Bell, | Wm. Cassius Goodloe, | Joseph T. Tucker, |
| J. C. S. Blackburn, | C. P. Gray, | T. W. Varnon, |
| Wm. F. Bond, | Clinton Griffith, | E. F. Waide, |
| W. W. Bush, | Wm. A. Hoskins, | T. J. Walker, |
| John S. Carpenter, | Thos. M. Johnson, | J. L. Waring, |
| C. M. Clay, jr., | J. S. Lawson, | Mordecai Williams, |
| J. Guthrie Coke, | W. J. McElroy, | J. N. Woods, |
| R. D. Cook, | M. E. McKenzie, | S. H. Woolfolk—44. |
| R. L. Cooper, | W. A. Morin, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Wm. G. Conrad, | Hiram S. Powell. |
| George W. Anderson, | Thomas H. Corbett, | John Rowan, |
| A. S. Arnold, | J. E. Cosson, | John P. Rowlett, |
| W. W. Ayers, | W. W. Deaderick, | J. S. Taylor, |
| G. W. Bailey, | Manlius T. Flippin, | C. W. Threlkeld, |
| W. R. Bates, | E. A. Graves, | Harry I. Todd, |
| Church H. Blakey, | T. J. Jones, | L. W. Trafton, |
| Thomas P. Cardwell, | Bryan S. McClure, | C. H. Webb, |
| George Carter, | J. C. Moorman, | J. M. White, |
| James S. Chrisman, | Julian N. Phelps, | F. A. Wilson, |
| Josiah H. Combs, | Lewis Potter, | Jonas D. Wilson—33. |

The House then took up the resolution from the Senate, entitled

Resolution in relation to the election of State Printer, Public Binder, and State Librarian.

Said resolution was concurred in.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Woolfolk, from the Committee on Propositions and Grievances—

A bill to change the boundary line of the city of Columbus.

By Mr. Ogilvie, from the Committee on Internal Improvement—

A bill to amend an act, entitled "An act revising the charter of the city of Paducah."

By Mr. Bascom, from a select committee—

A bill for the benefit of the executors of James P. Mitchell, deceased.

By same—

A bill for the benefit of the Pine Knob Turnpike Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Todd offered the following preamble and resolution, viz:

WHEREAS, By acts of the General Assembly of Kentucky, approved February 16th, 1845, February 23d, 1846, February 18th, 1848, March 10th, 1854, and March 10th, 1856, N. Craig was relieved from paying certain amounts stipulated by him and his securities to be paid to the Commissioners of the Sinking Fund, for the use of the Penitentiary while Craig was keeper of that institution; and whereas, by an act of the General Assembly, approved March 28th, 1861, J. W. South was relieved from paying certain amounts stipulated by him and his securities to be paid to the Commissioners of the Sinking Fund, for the use of the Penitentiary while South was keeper of that institution [for which act John Rodman, the Attorney General, then a member of this House, voted]; and whereas, by an act of the General Assembly, approved February 6th, 1869, Harry I. Todd was relieved from paying certain amounts stipulated by him and his securities to be paid to the Commissioners of the Sinking Fund, for the use of the Penitentiary while Todd was keeper of that institution; and whereas, John Rodman, Attorney General of Kentucky, has sued the said Todd to recover the amount he was released from paying by the act referred to, because, as he alleges, the act releasing said Todd is unconstitutional, and has not sued either Craig or South; therefore,

*Resolved*, That the Committee on the Judiciary be, and are hereby, directed to inquire into this matter, and report to this House whether, in its opinion, the Attorney General has discharged his official duties faithfully and to the best of his ability, as required by his oath of office, and if not, what legislation is necessary to compel him to do so; also what legislation is necessary to place all citizens occupying the same position upon equality, and thereby protect them from expensive and malicious litigation on the part of State officials.

Which was adopted.

Mr. Todd offered the following resolution, viz:

*Resolved*, That the special committee to whom was referred the resolutions of the member from Franklin, asking for information of the Auditor of Public Accounts in relation to payments of certain sums of money expended in making repairs on the Penitentiary, be, and they are hereby, authorized to send for persons and papers to aid in their investigations.

Which was adopted.

Mr. W. Evans offered the following resolution, viz:

*Resolved*, That the Clerk of this House be required forthwith to report to the Senate a bill, passed by this House, entitled "An act to amend the charter of the city of Hopkinsville."

Which was adopted.

And thereupon the Clerk reported the same to the Senate.

Mr. Waring read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the present session of the General Assembly be extended and continued beyond the term of sixty days.

Mr. Todd offered the following resolution, viz:

*Resolved*, That the Committee on Military Affairs be, and they are hereby, directed to inquire into the statements contained in the memorial presented to the General Assembly, by citizens of Franklin county, in relation to lawlessness in said county; and for a full investigation of the statements therein contained they are authorized to send for persons and papers.

Which was adopted.

Mr. Graves read and laid on the table the following preamble and joint resolution, viz:

WHEREAS, Experience has demonstrated that the omission in the Constitution of the United States to prohibit a re-election of the President, has left the country open to the worst forms of abuses and wrongs, and that the growing political power of the President has put it within his means to re-elect himself to the Presidency pretty much at his will; and whereas, this temptation to re-elect himself has the constant effect of inducing the President to appoint applicants to office who will do his bidding generally, in preference to a faithful and honest discharge of the duties of their offices as prescribed by law; and whereas, the recommendations contained in the farewell addresses of General Washington and General Andrew Jackson, respectively, to the people of the United States, has favored the one-term principle of the Presidency of the United States, as well as the advocacy and support of such statesmen as Henry Clay, General William H. Harrison, and other statesmen; and, therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators in Congress and our Representatives be requested to use all honorable means to have the Constitution of the United States so amended that no citizen who has ever served out one term as President of the United States shall ever be eligible for a second term thereof; and that the Governor of this Commonwealth be requested to forward these instructions as above set forth.

On motion of Mr. Graves, said preamble and resolution were referred to the Committee on Federal Relations.

Mr. Flippin offered the following resolutions, viz:

1. *Resolved*, That there be added to the list of standing committees, now authorized by the rules of this House, another, to be known as the Committee on "Retrenchment and Reform."

2. Said committee shall consist of nine members of this House, to be appointed by the Speaker, as in case of the other standing committees.

3. It shall be the duty of said committee to take into consideration the propriety of reducing the fees and salaries of any and all the officers of this Commonwealth, including members and officers of the General Assembly, and such other matters and things as may, from time to time, be referred to them.

4. Said committee shall be subject to, and governed by, the same rules and regulations as other standing committees of this House.

On motion of Mr. Chrisman, said resolutions were referred to the Committee on Propositions and Grievances.

Mr. Bush read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the present session of the Legislature adjourns, it will adjourn *sine die*, and will hold no extra session unless convened by the Governor.

Leave was given to bring in the following bills, viz:

On motion of Mr. McElroy—

1. A bill to amend section 3 of an act concerning Court of Appeals.

On motion of Mr. Bond—

2. A bill to amend the charter of the town of Lawrenceburg.

On motion of Mr. Corbett—

3. A bill to amend the charter of the town of Moses, in Graves county.

On motion of Mr. Bates—

4. A bill to enable the citizens of Warren county, by a majority vote, to prohibit the sale of spirituous liquors.

On motion of same—

5. A bill to change the dividing line between the counties of Barren and Metcalfe.

On motion of same—

6. A bill to amend section 2, article 7, chapter 83, of the Revised Statutes.

On motion of Mr. Clay—

7. A bill to amend the charter of the Paris, Georgetown, and Frankfort Railroad Company.

On motion of Mr. Williams—

8. A bill in relation to the sale of spirituous liquors.

On motion of Mr. Armstrong—

9. A bill to amend the charter of the Germantown and Bridgeville Turnpike Road Company.

On motion of same—

10. A bill for the benefit of the Augusta and Dover Turnpike Road Company.

On motion of same—

11. A bill for the benefit of the Brooksville and Rock Spring Turnpike Road Company.

On motion of same—

12. A bill to protect small birds of song in Bracken county.

On motion of Mr. J. D. Wilson—

13. A bill for the benefit of the citizens of Stephensport.

On motion of Mr. Phelps—

14. A bill for the benefit of the late sheriff of Butler county.

On motion of same—

15. A bill for the benefit of the late sheriff of Edmonson county.

On motion of Mr. Baker—

16. A bill to amend the charter of the Old State and Ripple Creek Turnpike Road Company, in Campbell county.

On motion of same—

17. A bill to amend the charter of the Water-works Company, in the city of Newport, authorizing said company to issue additional bonds to aid in the construction of said works.

On motion of Mr. Carlisle—

18. A bill to furnish public books for the courts at Independence and Alexandria, in Kenton and Campbell counties.

On motion of Mr. Walter Evans—

19. A bill to amend the charter of the St. Bernard Coal Company.

On motion of same—

20. A bill to amend an act requiring all railroad companies in the Commonwealth to pay for stock they negligently kill or damage on said roads, approved December 7, 1869.

On motion of same—

21. A bill to amend chapter 1947 of the Session Acts of 1869, to incorporate the Public Library of Kentucky.

On motion of same—

22. A bill to amend section 20, article 1, chapter 91, of the Revised Statutes.

On motion of same—

23. A bill to define the meaning of the word *creditor* used in the Revised Statutes and Civil Code of Practice, and in acts amendatory thereto.

On motion of Mr. Tucker—

24. A bill for the benefit of the Montgomery and Levee Turnpike Road Company.

On motion of Mr. Griffith—

25. A bill to amend section 33, chapter 37, of the Revised Statutes.

On motion of Mr. Powell—

26. A bill to repeal chapter 496, Session Acts of 1865-66, entitled "An act to exempt homesteads from sale for debt."

On motion of Mr. Davidson—

27. A bill to incorporate a board of trustees for the Prestonsburg Academy and Normal School Building.

On motion of Mr. Todd—

28. A bill for the benefit of the Farmers' Bank of Kentucky.

On motion of Mr. T. M. Johnson—

29. A bill to amend the charter of the Muldrough's Hill, Columbia, and Campbellsville Turnpike.

On motion of Mr. Combs—

30. A bill to repeal an act approved March 21, 1870.

On motion of Mr. Rowlett—

31. A bill to amend section 3 of an act concerning public books, and providing for the supply of destitute counties.

On motion of Mr. Woolfolk—

32. A bill to establish a work-house for the town of Madisonville.

On motion of Mr. Cook—

33. A bill to amend an act establishing a graded road from London to Booneville.

On motion of Mr. Carter—

34. A bill to change the name of Mary Jane Roberts to Mary Jane Casey, and to make her the legal heir of Daniel Casey.

On motion of same—

35. A bill to change the name of John Fips to that of John Bentley.

On motion of Mr. Walker—

36. A bill to repeal an act for the benefit of school district No. 8, in Lewis county.

On motion of Mr. Varnon—

37. A bill to amend the charter of the Commercial Bank of Kentucky.

On motion of same—

38. A bill to regulate charges on way freight by the Louisville and Nashville Railroad Company and its branches.

On motion of Mr. Webb—

39. A bill to increase the county levy of Livingston county.

On motion of Mr. Blakey—

40. A bill to incorporate the Kentucky Mutual Good Templar Life Insurance Company.

On motion of Mr. Sacksteder—

41. A bill to amend an act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors.

On motion of same—

42. A bill for the benefit of Matt. Booker, of Louisville.

On motion of Mr. Anderson—

43. A bill to amend the charter of the Cornwall Candle Factory, approved March 11, 1867.

On motion of same—

44. A bill to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville.

On motion of Mr. Graves—

45. A bill for the benefit of school district No. 4, in Marion county.

On motion of Mr. Cooper—

46. A bill to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county.

On motion of Mr. Ogilvie—

47. A bill revising the city charter of Paducah, approved February 11th, 1871.

On motion of same—

48. A bill to amend the charter of the city of Paducah.

On motion of same—

49. A bill creating lien on property for the erection of gas lamp-posts in Paducah.

On motion of Mr. S. C. Bell—

50. A bill to regulate sales made under decrees of the Metcalfe circuit court.

On motion of Mr. Flippin—

51. A bill for the benefit of W. J. Whitlock, of Metcalfe county.

On motion of Mr. Mynhier—

52. A bill for the benefit of Lark Howard, of Magoffin county.

On motion of Mr. Threlkeld—

53. A bill to amend an act for the benefit of the Owen News.

On motion of Mr. Deaderick—

54. A bill to incorporate the town of Demossville.

On motion of Mr. J. A. Bell—

55. A bill for the benefit of White Sulphur school district, in Scott county.

On motion of Mr. McKenzie—

56. A bill to incorporate the Farmers' Bank of Hopkinsville.

On motion of same—

57. A bill for the benefit of T. B. Jefferson, of Trigg county.

On motion of same—

58. A bill for the benefit of the jailer of Trigg county.

On motion of Mr. Chrisman—

59. A bill requiring the superintendents of charitable institutions in this State to make monthly reports of the expenditures of their institutions to the Secretary of State.

On motion of Mr. Bailey—

60. A bill for the benefit of Webster county.

On motion of Mr. Little—

61. A bill to provide for the navigation of Laurel river, in Whitley county.

On motion of Mr. Blackburn—

62. A bill to amend the charter of the town of Midway, in Woodford county.

On motion of Mr. Fitzpatrick—

63. A bill providing for the improvement of the navigation of the North Fork of the Kentucky river.

*Ordered*, That the Committee on Court of Appeals prepare and bring in the 1st; the Committee on Corporate Institutions the 2d, 3d, 9th, 19th, 27th, 32d, 43d, 44th, 47th, 48th, 49th, 52d, 54th, and 62d; the Committee on Religion the 4th, 12th, 13th, and 46th; the Committee on County Courts the 5th, 14th, 15th, 31st, 33d, and 39th; the

Committee on the Revised Statutes the 6th, 8th, 24th, 25th, 29th, 30th, 34th, 35th, 41st, 51st, 59th, and 60th; the Committee on Railroads the 7th 20th, and 38th; the Committee on Internal Improvement the 10th, 11th, 61st, and 63d; the Committee on the Judiciary the 16th, 17th, 18th, 21st, 22d, and 23d; the Committee on Propositions and Grievances the 26th; the Committee on Banks the 28th, 37th, and 56th; the Committee on Insurance the 40th; the Committee on Claims the 42d, 57th, and 58th; the Committee on Printing the 53d; the Committee on Education the 55th; a select committee, consisting of Messrs. Walker, Phelps, and W. Evans, the 36th; a select committee, consisting of Messrs. Graves, Davidson, and Ayers, the 45th; and a select committee, consisting of Messrs. T. M. Johnson, Moorman, and McClure, the 50th.

And then the House adjourned.

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## MONDAY, JANUARY 22, 1872.

The following petitions were presented, viz:

By Mr. Arnold—

1. The petition of citizens of Fulton and Hickman counties, praying the passage of an act to relinquish to Elizabeth Winterholder the State's claim to certain property of her deceased husband.

By same—

2. The petition of citizens of Moscow, in Hickman county, praying the passage of a law for the benefit of the old seminary in said town.

By Mr. F. A. Wilson—

3. The petition of J. W. Clark, clerk of the Lyon circuit court, praying the passage of an act allowing to clerks compensation for services rendered in felony cases.

By Mr. Flippin—

4. The petition of J. W. Stewart, clerk of the Monroe circuit court, praying the passage of an act for the same purpose.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the Committee on the Judiciary; the 2d to the Com-

mittee on Education; and the 3d to the Committee on the Revised Statutes.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the trustees of Louisa to lease portions of the public grade belonging to said town.

An act for the benefit of Munroe T. Shellburn, of Ballard county.

An act to amend an act for the benefit of the police judge of the town of Hawesville, Hancock county, approved February 10, 1871.

An act for the benefit of James D. Hatchett, of Henderson county.

An act to prevent the destruction of fish by fish-nets in Cumberland river, within the limits of Trigg county.

An act for the benefit of Thomas Hunt, of Pike county.

An act to amend the charter of the Bank of America, of the city of Louisville.

An act to amend an act, entitled "An act revising the charter of the city of Paducah."

An act to amend the charter of the Owensboro and Russellville Railroad.

And that they had passed bills of the following titles, viz:

1. An act to authorize the county court of Green to issue bonds and levy a tax for certain purposes.

2. An act to amend the charter of the town of Owenton.

3. An act to amend an act, entitled "An act for the benefit of the Eastern and Western Lunatic Asylums," approved February 18, 1864.

4. An act to amend the charter of the town of Bowling Green.

5. An act for the benefit of B. F. Ryal, jailer of Cumberland county.

6. An act for the benefit of P. G. Lawson, of Warren county.

7. An act to amend the charter of the Bowling Green Water-works Company.

8. An act to amend and reduce into one the several acts incorporating the town of Brookville, in Bracken county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred, the 1st to the Committee on County Courts; the 2d, 4th, 7th, and 8th to the Committee on Corporate Insti-

tutions; the 3d to the Committee on Charitable Institutions; and the 5th and 6th to the Committee on Claims.

The Speaker laid before the House the following letter of the Superintendent of the Feeble-minded Institute, viz:

KENTUCKY INSTITUTION FOR THE EDUCATION OF FEEBLE-MINDED CHILDREN AND IDIOTS, FRANKFORT, KY., January 23, 1872.

HON. JAMES B. MCCREARY, *Speaker of the House of Representatives:*

SIR: I have the honor to present to the House of Representatives, as per resolution, a statement of receipts and expenditures of Kentucky Feeble-minded Institute for the years 1868, 1869, 1870, and 1871, a report of which, with approved vouchers, is on file in the office of D. Howard Smith, State Auditor.

Respectfully submitted,

E. H. BLACK, *Superintendent.*

*Ordered*, That said report be referred to the Committee on Charitable Institutions.

Mr. Tucker, from the select committee to whom was recommitted a bill, entitled

A bill to amend an act, entitled "An act to amend chapter 48 of the Revised Statutes, title 'Idiots and Lunatics,'"

Reported the same without amendment, and with the expression of opinion that the same ought to pass.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

*Gentlemen of the Senate and House of Representatives:*

I respectfully call your attention to certain defects in the revenue laws of the State in providing for the collection of taxes on land. Our present laws, I think, discriminate unduly in favor of the land-owner, giving an indulgence, and often securing impunity, to delinquent tax-payers of this class, alike unjust to other tax-paying citizens and injurious to the public interests.

The Auditor's report for 1871, which has been laid before you, shows that "there are now due the Commonwealth taxes from

persons returned delinquent $119,343 02, and $199,001 07 on lands forfeited for taxes—making the aggregate $318,354 09;" "nearly all of which," he adds, "would, doubtless, have been collected and paid into the Treasury years ago, but for the fact that sheriffs have no power to sell real estate for taxes due on it."

The official exhibit from which this statement is made goes back only to the year 1862. But whilst I have no accurate information as to the delinquent lists previous to that time, I am satisfied that the amount of uncollected revenue now due the State, on the assessments of the last twenty years, is not less than one million dollars, and the Auditor's books show that the delinquency is constantly increasing.

The deficit in the collection of our assessed taxes is due almost solely to our exceptional revenue laws, under which sheriffs and other collectors of revenue, whilst they are *required* to levy upon and sell for taxes any personal property of the citizen, not exempting even the last bed of the poor widow, *are not permitted* to levy upon and sell lands. The wealthy non-resident, the grasping corporation, or the unscrupulous speculator, may own large tracts of land, and neglecting to pay the taxes assessed on them (often, indeed, they escape assessment altogether), and having no personal property in the State, they cannot be coerced to payment, under our existing laws, for six years; and when at last the lands are declared to be forfeited, and brought regularly to sale, they being made redeemable within a given time, rarely can a purchaser be found; and thus the public revenue is defrauded; *and this, too, by due course of law.*

Our present system of collecting delinquent taxes has necessitated the establishment of a distinct department in the Auditor's office, requiring the services of a first-class clerk to keep the accounts between the State and delinquent tax-payers; and in subjecting forfeited lands to sale other agencies must be employed.

I know of no other State whose laws discriminate so unequally between real and personal estate in their liability for non-payment of taxes; and I recommend that our laws on this subject be so amended as to authorize and *require* collectors of the public revenue to levy upon and sell land for the payment of taxes, when the delinquent has no accessible personal property, allowing a reasonable time for its redemption, and adding as penalty to the purchase price a larger per centage than is now required.

Authority should also be given to revenue officers to list and tax lands of non-residents and others, who have neglected to list the lands owned by them, large quantities of which are now not assessed; and it would be well, perhaps, in such cases, to add a moderate per centage to the usual tax, as a penalty for negligence.

Under such revenue laws, thus amended, the State would be able at the end of each year to close up its accounts with all who are able to pay their taxes; the care and interest of redeeming forfeited lands would be transferred from the State to the purchaser and owner; the public expenses would be considerably retrenched; the revenue of the Commonwealth would be largely increased; and the reform thus introduced would tend to lighten the necessary burthens of taxation.

I desire also to call your attention to some items of public expenditures which require additional legislation. The public buildings not supplying sufficient accommodation for the State offices, several of them have, of necessity, been located in private tenements; and this must continue to be the case until the completion of the new edifice now being erected on the Capital grounds. The rents for the rooms thus occupied as public officers have been paid, as is just and proper, by the State. As, however, not a dollar ought to be drawn from the Treasury but by authority of law, and as there is at present no express legislative provision as to some of them, I recommend that an act be passed authorizing the payment of these rents by the State until suitable accommodations shall be provided for her officers in public buildings.

In chapter 78, article 2, section 3, of the Revised Statutes, it is implied that the public offices should be supplied with water at the expense of the State. This has accordingly been done, though not explicitly authorized by the statute; and as water, especially hydrant water, is unfit for use in warm weather without ice, accounts for that article have also been allowed and paid, without, however, any express provision of law. If it is your pleasure that these supplies be allowed (as I believe they should be), I recommend that you so amend the statute as to expressly include them.

I also recommend that the statute (chapter 16 of Revised Statutes) be so amended as more precisely to define what is comprehended under the term "stationery." By specifying, as far as practicable, the articles to be furnished under this name, you would relieve of

much embarrassment the officer whose duty it is to issue stationery, and guard against prodigality in this item of public expenditure.

I have called your attention to these matters in accordance with that maxim which should be rigidly adhered to by all administrators of government—that no warrant should be drawn upon the Treasury without a statute clearly and satisfactorily authorizing it; and that all avoidable license in the doubtful construction of laws should be guarded against.

P. H. LESLIE.

*Ordered*, That said message be printed for the use of this House.

Mr. Sacksteder, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to punish trespasses on inclosed lands in Nicholas county,

Reported the same without amendment.

Amendments were then offered by Messrs. Robertson and Jones.

On motion of Mr. W. Evans, said bill and amendments were recommitted to the same committee.

The Speaker laid before the House the following communication, viz:

OFFICE LOUISVILLE TOBACCO BOARD OF TRADE,
LOUISVILLE, January 19, 1872.

MR. JNO. G. CARLISLE, *Speaker of Senate:*

DEAR SIR: In answer to the action of the Legislature calling upon the Tobacco Board of Trade for an expression of opinion in regard to the State tobacco law, we beg to ask your attention to the annexed copy of the proceedings of our meeting this day. We deem it proper to add, that this action was one of the most perfect and entire unanimity on the part of all the warehousemen and buyers. The manifest propriety of such an interest as the leaf tobacco trade of Louisville regulating its own affairs, and being on the same footing as other Kentucky tobacco markets, is too plain for argument. Your efforts to effect a speedy repeal of the present tobacco law (excepting the clause exempting from auction dues) are respectfully solicited, and will be highly appreciated by the entire tobacco trade.

Very respectfully,

P. MEGUIAR, *President.*

M. B. NASH, *Secretary.*

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## ABOLITION OF TOBACCO INSPECTION.

At a meeting of the Tobacco Board of Trade, held January 19, 1872, the following address to the Legislature was unanimously

adopted, and Secretary instructed to forward copies to the Speaker of the Senate and Speaker of the House of Representatives:

*To the Legislature of Kentucky:*

At a meeting of the members of the Louisville Tobacco Board of Trade, held at their rooms the 19th inst., the undersigned, its officers, were requested, in response to the resolution which passed your honorable body on the 17th inst., asking for an expression of opinion regarding the existing tobacco law, to say, that we regard the tobacco trade as of far too much importance to this city and to the tobacco-growing counties, and both warehouse proprietors and buyers of tobacco have too much capital at stake, to be jeopardized by the agitation for repeal or amendment that comes up every winter in the Legislature. In our opinion the only remedy is the repeal of all laws regulating the sale and inspection of tobacco in Louisville, so that this article may be sold by our warehousemen as commission merchants, as all other products of the soil are. We would also respectfully suggest that this repeal should include everything except that clause which exempts all tobacco sold in Louisville from auction dues. These dues go to the support of the Louisville Marine Hospital, and there would be manifest injustice in taxing the farmers to support an institution from which they could derive no possible benefit whatever.

P. MEGUIAR,
*President Tobacco Board of Trade.*

M. B. NASH, *Secretary.*

Mr. Chrisman offered the following resolutions, viz:

1. *Resolved*, That so much of the special message of the Governor of this Commonwealth as relates to the revenue laws of this Commonwealth, be referred to the joint committee of the two Houses upon the revision of the revenue.

2. That so much as relates to the public offices, be referred to the Committee on Public Buildings.

3. That so much as relates to the purchase of stationery, be referred to the Committee on the Library.

Which were adopted.

The House took up the resolutions heretofore read and laid on the table, entitled

Resolution fixing day for final adjournment of General Assembly.

Resolution providing for an extension of the present session of the General Assembly.

*Ordered*, That the further consideration of said resolutions be postponed until Wednesday, 24th instant, and made the special order of the day at 11 o'clock.

On motion of Mr. Bush, and by unanimous consent, leave was given him to withdraw from the House the joint resolution heretofore offered by him, entitled

Resolution in relation to final adjournment of General Assembly.

On motion of Mr. Graves, the bill now pending, entitled

A bill to amend an act, entitled "An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors," approved March 22, 1871,

Was recommitted to the Committee on the Revised Statutes.

Bills from the Senate, of the following titles, were reported, without amendment, by the committees to whom they had been referred, viz :

By Mr. Coke, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, railroad, and insurance companies," approved March 15, 1871.

By Mr. Sacksteder, from the same committee—

An act authorizing the clerk of the Nelson county court to make a cross-index to deeds in his office, and transcribe the marriage register in said office.

By Mr. Bush, from the same committee—

An act authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads situated in said county.

By same—

An act for the benefit of Isabella Oxley, of Rowan county.

By same—

An act requiring A. W. Blair, late sheriff of Nicholas county, to settle and pay over all public money in his hands.

By Mr. Walter Evans, from the same committee—

An act to amend an act, entitled, "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

By Mr. Powell, from the Committee on Religion—

An act to regulate the sale of spirituous and vinous liquors in Uniontown and Caseyville.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Coke, from the Committee on Railroads—

A bill to amend the charter of the Louisville and Nashville Railroad Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Lexington City Passenger and Freight Railroad Company," approved February 24, 1870.

By same—

A bill to amend an act, entitled "An act to incorporate the Louisville, Memphis, and New Orleans Railway Company," approved February 24, 1870; and also to amend an act amending the same, approved March 23, 1871.

By Mr. Armstrong, from a select committee—

A bill to legalize certain acts of Jas. W. Staton, late road commissioner of Bracken county, for the years 1868-'9-'70.

By Mr. Corbett, from a select committee—

A bill to authorize the Graves county court to sell the old clerks' offices.

By Mr. Graves, from a select committee—

A bill to amend the town charter of Lebanon.

By Mr. Garnett, from a select committee—

A bill to repeal an act, entitled "An act for the benefit of D. C. Smith, of Barren county," approved January 30, 1866.

By Mr. Coke, from the Committee on the Judiciary—

A bill to prohibit and punish certain trespasses in Muhlenburg county.

By Mr. Sacksteder, from the same committee—

A bill to provide for appointing an assistant county attorney for the county of Kenton.

By Mr. Bush, from the same committee—

A bill for the benefit of all persons owning lands binding on that part of Mann's Lick road, alias Saratoga street, alias Pope street, between Broadway, in the city of Louisville, and its intersection with Rothwell street.

By same—

A bill to incorporate the Lexington Building and Accumulating Fund Association.

By Mr. Reeves, from the same committee—

A bill to increase the jurisdiction of the police judge of Woodville, in McCracken and Ballard counties.

By same—

A bill enabling H. B. Elrod and Jane Elrod to adopt John W. Elrod as their heir at law.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

The last named bill was amended.

*Ordered*, That said bills, the last as amended, be engrossed and read a third time

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House took up, according to order, bills of the following titles, viz:

A bill to repeal the several acts, entitled "An act to regulate the sale and inspection of tobacco in the city of Louisville."

A bill to amend existing laws relating to testimony.

On motion,

*Ordered*, That the consideration of the 1st named bill be postponed until Thursday next, at 11 o'clock, A. M., and the 2d recommitted to the Committee on the Judiciary.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, or gravel roads;

An act to amend an act, approved February 10, 1866, entitled "An act to exempt homesteads from sale for debt;"

An act to amend section 6, article 6, chapter 32, title "Elections," of the Revised Statutes;

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments;"

An act to amend section 4, of article 2, of chapter 83, of the Revised Statutes, regulating tax on theatrical performances;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Winchester;

An act to enable the county of Madison to subscribe to, and provide means for, an institution of learning in Richmond;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

According to order, the House, at 11 o'clock, A. M., took up for consideration a bill from the Senate, entitled

An act to amend article 2, chapter 17, of the Revised Statutes.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That article 2 of chapter 17, of the Revised Statutes, be, and the same is hereby, amended by adding thereto the following:

§ 3. He shall enter and record, in a well-bound book, to be procured by him for that purpose, all the judgments and opinions of the court hereafter rendered, and make out and keep an index and cross-index to each opinion or judgment; and for these services he shall receive the same compensation now allowed by law for copying a record, to be taxed as part of the costs of the successful party, and included in the execution in his favor against the unsuccessful party.

§ 4. That opinions heretofore rendered shall be recorded in the same book, upon the application of any party who shall pay the fees therefor.

§ 5. That subsection 3 of section 1 of said article be amended so as to read as follows: "The proceedings of each day's sitting shall be drawn up by the clerk, and the mandate of each decision shall be entered of record."

§ 6. This act shall take effect from its passage.

Mr. Graves moved to amend said bill: Strike out all after the word "record," in the 5th line of 2d section, and insert thereafter the words, "the successful party shall pay the costs thereof."

And the question being taken on the amendment of Mr. Graves, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | W. A. Morin, |
| Wm. A. Allen, | Thomas H. Corbett, | John W. Ogilvie, |

A. C. Armstrong,
A. S. Arnold,
W. W. Ayers,
G. W. Bailey,
R. Tarv. Baker,
Alpheus W. Bascom,
John A. Bell,
S. C. Bell,
Church H. Blakey,
James S. Chrisman,
Josiah H. Combs,
William G. Conrad,
Joseph M. Davidson,
John W. Dyer,
W. H. Evans,
Manlius T. Flippin,
Joseph P. Foree,
E. A. Graves,
Clinton Griffith,
George M. Jessee,
T. M. Johnson,
T. J. Jones,
M. E. McKenzie,
John P. Rowlett,
Samuel M. Sanders,
James W. Snyder,
J. S. Taylor,
C. W. Threlkeld,
T. W. Varnon,
T. J. Walker,
J. M. White,
Jonas D. Wilson,
J. N. Woods,
S. H. Woolfolk—40.

Those who voted in the negative, were—

W. R. Bates,
W. N. Beckham,
J. C. S. Blackburn,
Wm. F. Bond,
W. W. Bush,
Thomas P. Cardwell,
George Carter,
C. M. Clay, jr.,
J. Guthrie Coke,
R. L. Cooper,
J. E. Cosson,
W. W. Deaderick,
Walter Evans,
James B. Fitzpatrick,
C. D. Foote,
James Garnett,
Wm. Cassius Goodloe,
C. P. Gray,
Wm. A. Hoskins,
J. S. Lawson,
Bryan S. McClure,
J. C. Moorman,
Wm. Mynhier,
J. L. Nall,
Julian N. Phelps,
Lewis Potter,
Hiram S. Powell,
W. L. Reeves,
E. A. Robertson,
John Rowan,
J. P. Sacksteder,
C. C. Scales,
William Tarlton,
Harry I. Todd,
L. W. Traſton,
Joseph T. Tucker,
E. F. Waide,
J. L. Waring,
C. H. Webb,
F. A. Wilson,
J. M. Wright—41.

And so said amendment was rejected.

Mr. Jessee offered an amendment to said bill.

On motion of Mr. Garnett, said bill was recommitted to the Committee on the Court of Appeals.

Mr. Bush, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act repealing an act approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies,"

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

On motion of Mr. Garnett,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, Friday, 26th instant, at 11 o'clock, A. M.

The House then took up from the orders of the day a bill, entitled

A bill to prevent persons from interfering so as to induce laborers or servants to abandon their contracts, or to employ such without the

consent of their original employer before the expiration of the contract, &c.

Amendments were offered thereto by Messrs. Cooper and Flippin.

On motion of Mr. Cooper,

*Ordered*, That said bill, together with the amendments proposed thereto, be recommitted to the Committee on the Revised Statutes, with instructions to report thereon on Thursday, 25th instant, at half-past ten o'clock, A. M.

The House then took up for further consideration a bill, entitled

A bill for the education of the colored children of this Commonwealth.

Amendments were offered to said bill by Messrs. W. Evans, Flippin, Blakey, Jessee, and Gray.

On motion of Mr. Tucker,

*Ordered*, That said bill, with the proposed amendments, be recommitted to the Committee on the Judiciary, with instructions to report thereon on the 29th instant, at 11 o'clock, A. M.

On motion of Mr. Chrisman, leave was given to bring in a bill regulating the purchase of stationery, and all public law books and record books for public use.

*Ordered*, That the Committee on the Library prepare and bring in the same.

And then the House adjourned.

## TUESDAY, JANUARY 23, 1872.

The following petitions were presented, viz:

By Mr. Bascom—

1. The petition of certain citizens of Bath, Fleming, and Nicholas counties, praying the repeal of a certain act passed by the last Legislature.

By Mr. Cook—

2. The petition of G. G. Mullins and others, praying the repeal of an act declaring a certain stream to be navigable.

By Mr. Arnold—

3. The petition of sundry citizens of the city of Hickman, praying the repeal of a certain act relating to the police judge of said town.

By Mr. Blackburn—

4. The petition of citizens of Woodford county, praying the passage of an act to preserve fish in said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Corporate Institutions; the 2d and 4th to the Committee on Propositions and Grievances; and the 3d to the Committee on County Courts.

A message was received from the Senate, announcing that they had passed bills. which originated in the House of Representatives, of the following titles, viz:

An act to regulate further the drawing of standing jurors for the Jefferson circuit court.

An act to change the boundary line of the city of Columbus.

That they had adopted a resolution, entitled

Resolution calling on the Auditor for information relative to receipts and disbursements within a given period.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the common school districts in Cumberland county.

2. An act to amend the charter of the Bank of Kentucky.

3. An act authorizing the trustees of the Baptist Church of Lick Creek, in Gallatin county, to sell and convey certain land belonging to said church.

4. An act in relation to the Bardstown and Green River Turnpike Company.

5. An act to mark and define the boundary line between the counties of Muhlenburg and McLean

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Education; the 2d to the Committee on Ways and Means; the 3d to the Committee on Religion; the 4th to the Committee on Internal Improvement; and the 5th to the Committee on the Judiciary.

The Speaker laid before the House the following communication from the Auditor of Public Accounts, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., January 23, 1872.

HON. JAMES B. MCCREARY, *Speaker of the House of Representatives:*

SIR: I herewith present you, for the information of the Legislature, a statement of the accounts of the treasurer of the Kentucky Institution for the Education of the Blind, for the year ending the 31st December, ult. The vouchers accompanying the foregoing settlement are all on file in this department.

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, *Auditor*

[*For Report—see Legislative Document No.* 14.]

*Ordered*, That the Public Printer forthwith print the usual number of copies thereof for the use of this House, and that the same be referred to the Committee on Charitable Institutions.

The Speaker laid before the House the annual report of the Keeper of the Penitentiary.

[*For Report—see Legislative Document No.* 15.]

*Ordered*, That the Public Printer print the usual number of copies thereof for the use of this House.

Mr. Chrisman, from the majority of the Board selected and appointed to inquire into, and report upon, the matter of contest between T. J. Walker and B. E. Woodworth, for a seat on this floor as Representative from the county of Lewis, made the following report, viz:

The undersigned, a majority of the Board to whom was referred the petition of Benjamin E. Woodworth, contesting the right of T. J. Walker to a seat in this House as a member thereof from the county of Lewis, and claiming the right to the same, respectfully report:

That they find the testimony in this case a confused mass of legal and illegal evidence and *ex parte* statements in the form of affidavits, from which the board have found it impossible to deduce an entirely satisfactory conclusion; and which is the cause of the delay in responding to the order of the House.

On the part of the contestant (Woodworth), it is urged that the poll-book in the Esculapia precinct, at which the sitting member (Walker) received a majority, was *not sealed up* when delivered to the clerk of the county court, as required by law. This, in the judgment of the undersigned, should not vitiate the return from that precinct, as the law in that regard is only directory. Besides, there is no proof or pretense that the same was in anywise changed or altered. On the contrary, the proof shows conclusively that the same, when counted by the examiners of the county, was unaltered.

Our courts have adjudicated this question, taking the same view thereof to which the undersigned have arrived.

More than thirty votes registered on the poll-books were challenged by *each* party, making it the duty of the board to examine critically into at least sixty cases. In many the evidence, in the judgment of the undersigned, was so conflicting and contradictory as to render it doubtful in whose favor it preponderated.

The contest appears to have been heated and warmly contested, much excitement and feeling pervading the whole community, and, we feel constrained to say, was not, upon the part of the friends of the sitting member, attended with that freedom and fairness which should characterize an election; the proof clearly manifesting a spirit and disposition, at some points, to deter the friends of the contestant from voting, or rather to prevent them from taking an active part for him.

Having carefully examined and considered all the proof taken within the time prescribed by law, and the greater part, if not all, of the proof taken by the sitting member *after* the time prescribed by law, viz: between the 24th of November and 2d day of December, a majority of the committee were of opinion the weight or preponderance of the proof (though the proof itself was not satisfactory to the

undersigned), showed that the contestant (Woodworth) had received a majority of three votes. But in reaching this result, we had to consider questions of the boundaries of counties and precincts to locate a voter properly, and that, too, upon the statements of witnesses who did not profess even to have seen the lines run or marked, and thus leaving the board to settle these questions upon illegal or secondary evidence.

The poll-books show a majority of five for the sitting member.

In view of all the facts in this case, and of the doubt and uncertainty attending the result, and with the view that justice may be done to all concerned, the undersigned have thought it the wisest and safest course to refer the whole question back to that tribunal, which, under the forms of our Constitution, cannot err, in the hope that, on another trial, a fair expression of public opinion may be obtained, and that result reached to which all good citizens will readily submit.

They therefore recommend the adoption of the following resolutions:

1. *Resolved*, That T. J. Walker is not legally and rightfully entitled to a seat in this House as a member thereof from the county of Lewis.

2. That the office of Representative in this House from the county of Lewis is vacant.

3. That the Speaker of this House be directed to issue a writ of election to fill said vacancy, as required by law.

JAMES S. CHRISMAN,
E. POLK JOHNSON,
S. H. WOOLFOLK,
J. D. WILSON,
C. P. GRAY,
THOS. W. VARNON.

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Mr. Scales, from the minority of said Board, made the following report, viz:

The undersigned, members of the Board to whom was referred the contested election in which Benjamin E. Woodworth contests the right of Thomas J. Walker to a seat in this House as the Representative of the county of Lewis, respectfully submit the following minority report:

After a tedious and careful review of the proof upon either side, taken within the time prescribed by law, and laid before the board for examination, they are clearly of the opinion that said Benjamin E. Woodworth received the highest number of legal votes cast at the last election for Representative of Lewis county.

It is evident, in their judgment, that eight votes should be stricken from the poll of Woodworth, and that sixteen be stricken from the poll of Walker, on account of their illegality. And such seemed to be the opinion of a majority of the Board—the sense of the same being taken upon each vote separately, the proof pertaining thereto being read at the time it was under consideration.

Such a conclusion would, therefore, result in the election of Woodworth by a majority of three votes, and the poll would stand: for Woodworth, 991; and for Walker, 988.

It further appears from the evidence that, at one or more of the voting precincts, threats of violence were made upon the part of Walker's friends calculated to intimidate and drive from the polls the friends of Woodworth. It is, therefore, reasonoble to conclude that Woodworth was in this way deprived of votes that he would have otherwise received.

In view, then, of these facts, the following resolution is recommended for adoption:

*Resolved*, That Benjamin E. Woodworth is the legally elected Representative of the county of Lewis; and that he now be permitted to qualify as such, and take the seat now occupied by Thomas J. Walker.

C. C. SCALES,
S. M. SANDERS,
GEO. W. ANDERSON.

On motion of Mr. Blackburn,

*Ordered*, That said reports be printed, and that the consideration of the same be postponed to, and made the special order of the day for, Monday next, at 11 o'clock, A. M.

Mr. Rowlett, from the Committee on Enrollments, reported that they had examined an enrolled resolution, which originated in the Senate, entitled

Resolution in relation to the election of State Printer, Public Binder, and State Librarian;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act for the benefit of the police judge of the town of Hawesville, Hancock county, approved February 10, 1871;

An act to amend the charter of the Owensboro and Russellville Railroad;

An act to prevent the destruction of fish by fish-nets in Cumberland river, within the limits of Trigg county;

An act for the benefit of Thomas Hunt, of Pike county;

An act to authorize the trustees of Louisa to lease portions of the public grade belonging to said town;

An act for the benefit of Munroe T. Shellburn, of Ballard county;

An act for the benefit of James D. Hatchett, of Henderson county;

An act to amend the charter of the Bank of America, of the city of Louisville;

An act to amend an act, entitled "An act revising the charter of the city of Paducah;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Mr. Graves, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Bank of Kentucky,

Reported the same without amendment.

On motion of Mr. Scales,

*Ordered*, That said bill, together with the statement, in writing, of Mr. Chrisman, accompanying the same, be printed, and that the consideration of the same be postponed till next Friday, at 11 o'clock, A. M

Bills from the Senate, of the following titles, were reported, without amendment, by the committees to whom they had been referred, viz:

By Mr. Gray, from the Committee on Education—

An act to amend an act, entitled "An act to establish a colored school in the city of Henderson."

By Mr. Graves, from the Committee on Ways and Means.

An act to authorize the Auditor of Public Accounts to audit and settle claims of sheriffs of the Commonwealth for conveying convicts to the penitentiary of this State.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Ayers, from the Committee on Religion—

A bill to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden.

By Mr. Robertson, from the same committee—

A bill to incorporate the trustees of the Presbyterian Church of Augusta.

By Mr. Lawson, from the same committee—

A bill to prohibit the sale of ardent spirits in Breathitt and Powell counties.

By same—

A bill to prohibit the sale of intoxicating liquors in Benson district, in Franklin county.

By Mr. Threlkeld, from the same committee—

A bill prohibiting the vending of ardent, malt, or vinous spirits in he second magisterial district, in Mercer county.

By same—

A bill to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county.

By Mr. Armstrong, from the Committee on Education—

A bill for the benefit of John Goodin, commissioner of common schools for Josh Bell county.

By Mr. Gray, from the same committee—

A bill for the benefit of White Sulphur school district, in Scott county.

By Mr. Cosson, from the same committee—

A bill to organize and establish a system of public schools in the town of Madisonville, in the county of Hopkins.

By same—

A bill for the benefit of the common school commissioner of Breckinridge county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Robertson—

1. A bill to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

On motion of Mr. Goodloe—

2. A bill to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

On motion of Mr. Jones—

3. A bill to incorporate the town of Wingo, in Graves county.

On motion of Mr. Phelps—

4. A bill for the benefit of J. M. Forgy, of Butler county.

On motion of Mr. Dyer—

5. A bill to amend the road law of Union county.

By same—

6. A bill to repeal chapter 1175 of the acts of 1871.

By same—

7. A bill to repeal chapter 1108 of the acts of 1871.

By same—

8. A bill to repeal chapter 1107 of the acts of 1871.

*Ordered*, That the Committee on Railroads prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d; the Committee on Corporate Institutions the 3d; the Committee on Education the 4th; and the Committee on Internal Improvement the 5th, 6th, 7th, and 8th.

Mr. Bush, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to amend the laws of evidence in this Commonwealth,

Reported the same without amendment, and without the expression of opinion thereon by the committee.

Mr. Bush offered an amendment to said bill.

Mr. Flippin then offered a substitute for the bill and amendment.

The question was then taken on the adoption of the substitute proposed by Mr. Flippin, and it was decided in the negative.

Mr. Scales moved to recommit the bill and pending amendment to the same committee.

And the question being taken thereon, it was decided in the negative.

The amendment proposed by Mr. Bush was then adopted.

Mr. Bascom moved to amend said bill by striking out the 7th section thereof.

The 7th section reads as follows, viz:

No one shall shall be incompetent as a witness because of his or her race or color.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goodloe and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | George M. Jessee, | Samuel M. Sanders, |
| Church H. Blakey, | T M. Johnson, | J. S. Taylor, |
| Robert M. Carlisle, | T. J. Jones, | C. W. Threlkeld, |
| George Carter, | J. S. Lawson, | L. W. Trafton, |
| William G. Conrad, | J. J. McAfee, | Joseph T. Tucker, |
| R. L. Cooper, | William J. McElroy, | C. H. Webb, |
| W. W. Deaderick, | Wm. Mynhier, | F. A. Wilson, |
| John W. Dyer, | E. A. Robertson, | S. H. Woolfolk—26. |
| James B. Fitzpatrick, | J. R. Sanders, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | J. L. Nall, |
| Wm. A. Allen, | J. E. Cosson, | John W. Ogilvie, |
| George W. Anderson, | Walter Evans, | Julian N. Phelps, |
| A. C. Armstrong, | W. H. Evans, | Lewis Potter, |
| A. S. Arnold, | M. Woods Ferguson, | Hiram S. Powell, |
| W. W. Ayers, | Manlius T. Flippin, | W. L. Reeves, |
| W. R. Bates, | C. D. Foote, | John Rowan, |
| W. N. Beckham, | James Garnett, | John P. Rowlett, |
| John A. Bell, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| S. C. Bell, | E. A. Graves, | C. C. Scales, |
| J. C. S. Blackburn, | C. P. Gray, | James W. Snyder, |
| Wm. F. Bond, | Clinton Griffith, | Harry I. Todd, |
| W. W. Bush, | Wm. A. Hoskins, | T. W. Varnon, |
| Thomas P. Cardwell, | E. Polk Johnson, | E. F. Waide, |
| John S. Carpenter, | G. W. Little, | T. J. Walker, |
| B. E. Cassilly, | J. A. McCampbell, | J. L. Waring, |
| James S. Chrisman, | Bryan S. McClure, | J. M. White, |
| C. M. Clay, jr., | T. J. Megibben, | Mordecai Williams, |
| Josiah H. Combs, | J. C. Moorman, | Jonas D. Wilson, |
| R. D. Cook, | W. A. Morin, | J. N. Woods—60. |

And so said amendment was rejected.

Mr. W. Evans then moved to reconsider the vote by which the amendment of Mr. Bush was adopted.

And on taking the vote on Mr. Evans' motion, it was decided in the negative.

Mr. Jessee offered an amendment.

Pending the discussion thereon, the hour for the execution of the special order of the day arrived.

The hour of 12 o'clock, M., having arrived, the House then proceeded, according to order, and under the joint resolution heretofore adopted, to the election of certain public officers, viz: Public Printer, Public Binder, and State Librarian.

The Speaker announced that the first business in order was the election of Public Printer.

On motion, a committee, consisting of Messrs. Corbett, Ogilvie, and Trafton, were appointed to inform the Senate that this House was now ready to proceed with the election of Public Printer, who, after a time, reported that they had discharged that duty.

A message was received from the Senate by Senators Prichard and McManama, announcing that they were also ready to proceed with said election.

Mr. Corbett then nominated Mr. S. I. M. Major as a suitable person to fill said office.

Mr. J. D. Wilson nominated Mr. S. R. Smith for same office.

Messages were then interchanged between the two Houses, by which each House was informed of the nominations before them.

The House then proceeded to vote as between the persons in nomination, which resulted thus:

Those who voted for Mr. Major, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Julian N. Phelps, |
| Wm. A. Allen, | John W. Dyer, | Lewis Potter, |
| George W. Anderson, | M. Woods Ferguson, | W. L. Reeves, |
| A. C. Armstrong, | James B. Fitzpatrick, | E. A. Robertson, |
| A. S. Arnold, | C. D. Foote, | John Rowan, |
| W. W. Ayers, | James Garnett, | John P. Rowlett, |
| G. W. Bailey, | E. A. Graves, | J. P. Sacksteder, |
| Alpheus W. Bascom, | C. P. Gray, | J. R. Sanders, |
| W. R. Bates, | Clinton Griffith, | Samuel M. Sanders |
| W. N. Beckham, | Wm. A. Hoskins, | C. C. Scales, |
| John A. Bell, | George M. Jessee, | James W. Snyder, |
| S. C. Bell, | E. Polk Johnson, | J. S. Taylor, |
| J. C. S. Blackburn, | Thos. M. Johnson, | C. W. Threlkeld, |
| Church H. Blakey, | T. J. Jones, | Harry I. Todd, |
| Wm. F. Bond, | J. S. Lawson, | L. W. Trafton, |

| | | |
|---|---|---|
| W. W. Bush, | J. J. McAfee, | Joseph T. Tucker, |
| Robert M. Carlisle, | Bryan S. McClure, | T. W. Varnon, |
| John S. Carpenter, | W. J. McElroy, | E. F. Waide, |
| George Carter, | M. E. McKenzie, | T. J. Walker, |
| B. E. Cassilly, | T. J. Megibben, | J. L. Waring, |
| James S. Chrisman, | J. C. Moorman, | C. H. Webb, |
| C. M. Clay, jr., | W. A. Morin, | J. M. White, |
| Wm. G. Conrad, | Wm. Mynhier, | Mordecai Williams, |
| R. L. Cooper, | J. L. Nall, | F. A. Wilson, |
| Thomas H. Corbett, | John W. Ogilvie, | S. H. Woolfolk—76. |
| Joseph M. Davidson, | | |

Those who voted for Mr. Smith, were—

| | | |
|---|---|---|
| Thomas P. Cardwell, | W. H. Evans, | J. A. McCampbell, |
| Josiah H. Combs, | Manlius T. Flippin, | Hiram S. Powell. |
| R. D. Cook, | Wm. Cassius Goodloe, | Jonas D. Wilson, |
| J. E. Cosson, | G. W. Little, | J. N. Woods—13. |
| Walter Evans, | | |

A message was received from the Senate, announcing that a committee was appointed by them, to act in conjunction with a similar committee from this House, to compare the joint vote, and report the result.

On motion, a committee, consisting of Messrs. Corbett, Ogilvie, and Trafton, were appointed for the same purpose on the part of this House; of which the Senate was informed.

Mr. Corbett, from the joint committee appointed to compare the result, reported as follows, viz:

| | |
|---|---|
| In the Senate, for Mr. Major, - - - - - - - | 29 votes. |
| In the House of Representatives, for Mr. Major, - - | 76 votes. |
| Total, - - - - - - - - - - - | 105 votes. |
| In the Senate, for Mr. Smith, - - - - - - | 3 votes. |
| In the House of Representatives, for Mr. Smith, - - | 13 votes. |
| Total, - - - - - - - - - - | 16 votes. |

And it appearing from said report that S. I. M. Major had received a majority of all the votes cast, the Speaker announced that Mr. S. I. M. Major was duly elected Public Printer for the period prescribed by law, to succeed the present incumbent on the expiration of his present term of office.

Proceeding further with the execution of the joint order aforesaid, messages were interchanged between the two Houses, announcing

that they were each ready to proceed with the election of a Public Binder.

Mr. Bush nominated Mr. A. C. Vallandingham as a suitable person to fill that office.

Mr. W. Evans nominated Mr. L. P. Tarlton.

The two Houses were then informed of the nominations before them, respectively.

The House then proceeded to vote as between those in nomination, which resulted thus:

Those who voted for Mr. Vallandingham, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | John W. Ogilvie, |
| Wm. A. Allen, | W. W. Deaderick, | Julian N. Phelps, |
| George W. Anderson, | John W. Dyer, | Lewis Potter, |
| A. C. Armstrong, | M. Woods Ferguson, | W. L. Reeves, |
| A. S. Arnold, | James B. Fitzpatrick, | E. A. Robertson, |
| W. W. Ayers, | C. D. Foote, | John Rowan, |
| G. W. Bailey, | James Garnett, | John P. Rowlett, |
| Alpheus W. Bascom, | E. A. Graves, | J. P. Sacksteder, |
| W. R. Bates, | C. P. Gray, | J. R. Sanders, |
| W. N. Beckham, | Clinton Griffith, | Samuel M. Sanders, |
| John A. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| S. C. Bell, | George M. Jessee, | James W. Snyder, |
| J. C. S. Blackburn, | E. Polk Johnson, | J. S. Taylor, |
| Church H. Blakey, | T. M. Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | T. J. Jones, | Harry I. Todd, |
| W. W. Bush, | J. S. Lawson, | L. W. Trafton, |
| Robert M. Carlisle, | J. J. McAfee, | Joseph T. Tucker, |
| John S. Carpenter, | Bryan S. McClure, | T. W. Varnon, |
| George Carter, | Wm. J. McElroy, | E. F. Waide, |
| B. E. Cassilly, | M. E. McKenzie, | J. L. Waring, |
| James S. Chrisman, | T. J. Megibben, | C. H. Webb, |
| C. M. Clay, jr., | J. C. Moorman, | J. M. White, |
| Wm. G. Conrad, | W. A. Morin, | Mordecai Williams, |
| R. L. Cooper, | Wm. Mynhier, | F. A. Wilson, |
| Thomas H. Corbett, | J. L. Nall, | S. H. Woolfolk—75. |

Those who voted for Mr. Tarlton, were—

| | | |
|---|---|---|
| Thomas P. Cardwell, | W. H. Evans, | Hiram S. Powell, |
| Josiah H. Combs, | Manlius T. Flippin, | T. J. Walker, |
| R. D. Cook, | Wm. Cassius Goodloe, | Jonas D. Wilson, |
| J. E. Cosson, | G. W. Little, | J. N. Woods—14. |
| Walter Evans, | J. A. McCampbell, | |

On motion, a committee, consisting of Messrs. Corbett, Ogilvie, and Trafton, were appointed on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to compare the result of the joint vote; of which they were directed to inform the Senate.

After a time, Mr. Corbett reported that they had performed that duty.

A message was received from the Senate, announcing that they had appointed a committee on their part, to act in conjunction with a similar committee on the part of this House, for the same purpose.

Mr. Corbett then, from the joint committee appointed to compare the result, reported as follows, viz:

| | |
|---|---|
| In the Senate, for Mr. Vallandingham, - - - - | 32 votes. |
| In the House of Representatives, for Mr. Vallandingham, | 75 votes. |
| Total, - - - - - - - - - | 107 votes. |
| In the Senate, for Mr. Tarlton, - - - - - | 3 votes. |
| In the House of Representatives, for Mr. Tarlton, - - | 14 votes. |
| Total, - - - - - - - - - | 17 votes. |

And thereupon the Speaker declared that Mr. A. C. Vallandingham was duly elected Public Binder for the period prescribed by law, to succeed the present incumbent on the expiration of his present term of office.

And proceeding still further with the execution of the joint order aforesaid, messages were interchanged between the two Houses, announcing they were each ready to proceed with the election of a State Librarian.

Mr. Bush nominated Mr. George B. Crittenden as a suitable person to fill that office.

Mr. Cook nominated Mr. W. H. Sneed.

The Houses were each informed of the nominations before them, respectively.

The House then proceeded to vote as between those in nomination, which resulted thus:

Those who voted for Mr. Crittenden, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | John W. Ogilvie, |
| Wm. A. Allen, | W. W. Deaderick, | Julian N. Phelps, |
| George W. Anderson, | John W. Dyer, | Lewis Potter, |
| A. C. Armstrong, | M. Woods Ferguson, | W. L. Reeves, |
| A. S. Arnold, | James B. Fitzpatrick, | E. A. Robertson, |
| W. W. Ayers, | C. D. Foote, | John Rowan, |
| G. W. Bailey, | James Garnett, | John P. Rowlett, |
| Alpheus W. Bascom, | E. A. Graves, | J. P. Sacksteder, |
| W. R. Bates, | C. P. Gray, | J. R. Sanders, |

| | | |
|---|---|---|
| W. N. Beckham, | Clinton Griffith, | Samuel M. Sanders, |
| John A. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| S. C. Bell, | George M. Jessee, | James W. Snyder, |
| J. C. S. Blackburn, | E. Polk Johnson, | J. S. Taylor, |
| Church H. Blakey, | T. M. Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | T. J. Jones, | Harry I. Todd, |
| W. W. Bush, | J. S. Lawson, | L. W. Trafton, |
| Robert M. Carlisle, | J. J. McAfee, | Joseph T. Tucker, |
| John S. Carpenter, | Bryan S. McClure, | T. W. Varnon, |
| George Carter, | William J. McElroy, | E. F. Waide, |
| B. E. Cassilly, | M. E. McKenzie, | J. L. Waring, |
| James S. Chrisman, | T. J. Megibben, | C. H. Webb, |
| C. M. Clay, jr., | J. C. Moorman, | J. M. White, |
| William G. Conrad, | W. A. Morin, | Mordecai Williams, |
| R. L. Cooper, | Wm. Mynhier, | F. A. Wilson, |
| Thomas H. Corbett, | J. L. Nall, | S. H. Woolfolk—75. |

Those who voted for Mr. Sneed, were—

| | | |
|---|---|---|
| Thomas P. Cardwell, | W. H. Evans, | Hiram S. Powell, |
| Josiah H. Combs, | Manlius T. Flippin, | T. J. Walker, |
| R. D. Cook, | Wm. Cassius Goodloe, | Jonas D. Wilson, |
| J. E. Cosson, | G. W. Little, | J. N. Woods—14. |
| Walter Evans, | J. A. McCampbell, | |

A message was received from the Senate, announcing that they had appointed a committee on their part, to act in conjunction with a similar committee from this House, to compare and report the joint vote.

On motion, Messrs. Corbett, Ogilvie, and Trafton were appointed a committee on the part of this House for the same purpose; of which the Senate was informed.

Mr. Corbett then, from the joint committee aforesaid, reported as follows, viz:

| | |
|---|---|
| In Senate, for George B. Crittenden, - - - - | 31 votes. |
| In House of Representatives, for George B. Crittenden, - | 75 votes. |
| Total, - - - - - - - - - | 106 votes. |
| In Senate, for W. H. Sneed, - - - - - - | 3 votes. |
| In House of Representatives, for W. H. Sneed, - - | 14 votes. |
| Total, - - - - - - - - - | 17 votes. |

And thereupon the Speaker announced that George B. Crittenden had received a majority of all the votes cast, and that he was duly

elected State Librarian for the period of time prescribed by law, to succeed the present incumbent on the expiration of his present term of office.

And then the House adjourned.

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## WEDNESDAY, JANUARY 24, 1872.

The following petitions were presented, viz:

By Mr. Tarlton—

1. The petition of certain citizens of Henry county, praying to be detached from that county and added to Oldham county.

By Mr. Tucker—

2. The petition of citizens of Germantown precinct, in Clark county, praying the repeal of the law enacted at the last session of the Legislature prohibiting the sale of ardent spirits in said precinct.

By Mr. W. H. Evans—

3. The petition of certain citizens of Josh Bell county, praying the passage of an act to legalize certain acts of the county surveyor of said county, and directing the register to issue patents in certain cases.

By same—

4. The petition of certain citizens of Knox county, praying to be attached to the county of Josh Bell.

By same—

5. The petition of citizens of Josh Bell county, praying that certain toll-gates in Josh Bell and Knox counties may be abolished.

By Mr. Gray—

6. The petition of J. M. Bristow and others, praying the passage of an act to compensate C. G. Beard for keeping a lunatic.

Which were received, the reading dispensed with, and referred—the 1st to a select committee, consisting of Messrs. Waide, Woolfolk, and Ferguson; the 2d to the Committee on Religion; the 3d, 4th, and 5th to the Committee on Propositions and Grievances; and the 6th to the Committee on Claims.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed an enrolled resolution, which originated in the Senate, entitled

Resolution in relation to the election of State Printer, Public Binder, and State Librarian.

That they had passed a bill, which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates,

With a substitute by way of amendment thereto, and change of title.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

2. An act to amend an act, entitled, "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

3. An act to change the boundary line of Carroll aad Gallatin counties.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Railroads; the 2d to the Committee on the Revised Statutes; and the 3d to the Committee on County Courts.

The Speaker laid before the House the report of the Managers, &c., of the Western Lunatic Asylum, in response to a resolution heretofore adopted.

*Ordered*, That the same be referred to the Committee on Charitable Institutions.

Mr. Corbett, from the Board selected, and to whom was referred the petition of D. L. Price, contesting the right of William Cassius Goodloe to a seat in this House as a Representative from the county of Fayette, and claiming the same, made the following report, viz:

The undersigned Board, to whom was referred the matter of the contest for a seat in this House between Messrs. D. L. Price and W.

C. Goodloe, as the legally elected Representative from the county of Fayette, respectfully report:

That they caused the parties to come before them; heard them and their counsel, as also the evidence and proof offered by each; and, on due consideration thereof, they are of opinion that William C. Goodloe received the highest number of legal votes cast at the last general election for Representative from the county aforesaid.

The first and main ground of contest, as relied on by the said Price, is, that the election was irregularly and illegally conducted; because the county court did, on the 5th day of August, 1871, two days prior to the election, without authority of law, open one additional voting place in district No. 7, at Edrington's coal-yard, and also one additional voting place in district No. 8, at the court-house. A majority of the Board is of the opinion that, under an act, entitled "An act for the benefit of Fayette county," approved March 10th, 1856, the county judge of said county, if he deemed it necessary, had a right to appoint an additional set of judges and clerks in districts Nos. 7 and 8. The evidence showed, that on the 5th day of August, 1871, two days prior to the election, the county judge of Fayette county did appoint an additional set of judges and clerks for districts Nos. 7 and 8; and that the judges and clerks appointed on the 5th of August, 1871, for the 8th district, took the white vote at the court-house; and that one of the judges appointed on the 5th of August, 1871, together with one of the judges appointed at the June term of said court, held the election at the Broadway Hotel. The Board is of the unanimous opinion that if the county judge of Fayette county had no right, under the act of 1856, to appoint the additional judges and clerks for districts Nos. 7 and 8, then the polls opened at the court-house, in district No. 8, by the new officers, were illegal, as was the election held at the Broadway Hotel; because the officers who held the election at the above-named voting places were not legally appointed; therefore, neither can be counted. The proof further showed that the legally appointed officers to hold the election at the Broadway Hotel went there on the morning of the election to hold the same, but were refused permission to hold the election by the proprietor of the hotel; after which they retired to Edrington's coal-yard, the nearest and best place to the hotel, to hold the election, as they had a right to do under the 3d section of article 2, chapter 32, of the Revised Statutes. Then, if the Board is correct in their construction of the act of 1856, W. C. Goodloe was elected by a major-

ity of three hundred and three votes; but if the Board is not correct in this view of the case, then the white vote—which was 128 for Goodloe and 372 for Price—that was taken at the court-house, has to be counted out, as does the vote at the Broadway Hotel, which was 452 for Price and 81 for Goodloe. Counting the vote at Edrington's coal-yard as legal, there being 567 votes cast at that voting place for Goodloe, and 2 for Price, would still elect W. C. Goodloe by a handsome majority.

The Board returns herewith to the House all the papers, proofs, and exhibits had and used before them. They therefore report, for the adoption of the House, the following resolution, viz:

*Resolved*, That William C. Goodloe is the legally elected Representative to the House from the county of Fayette; and that he be permitted to retain his seat as such.

THOS. H. CORBETT, *Ch'n*,
JOHN P. SACKSTEDER,
ROBERT M. CARLISLE,
J. C. MOORMAN.
M. WOODS FERGUSON,
J. E. COSSON,
J. S. LAWSON,
W. A. ALLEN,
W. A. HOSKINS.

The House then took up the resolution appended to said report.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | Julian N. Phelps, |
| Wm. A. Allen, | J. E. Cosson, | Lewis Potter, |
| George W. Anderson, | John W. Dyer, | Hiram S. Powell, |
| A. C. Armstrong, | Walter Evans, | W. L. Reeves, |
| A. S. Arnold, | W. H. Evans, | E. A. Robertson, |
| W. W. Ayers, | M. Woods Ferguson, | John Rowan, |
| G. W. Bailey, | James B. Fitzpatrick, | Samuel M. Sanders, |
| Alpheus W. Bascom, | Manlius T. Flippin, | C. C. Scales, |
| W. R. Bates, | C. D. Foote, | William Sellers, |
| John A. Bell, | Joseph P. Foree, | James W. Snyder, |
| S. C. Bell, | James Garnett, | William Tarlton, |
| J. C. S. Blackburn, | E. A. Graves, | J. S. Taylor, |
| Church H. Blakey, | C. P. Gray, | C. W. Threlkeld, |
| Wm. F. Bond, | T. M. Johnson, | Harry I. Todd, |

| | | |
|---|---|---|
| W. B. M. Brooks, | T. J. Jones, | L. W. Trafton, |
| W. W. Bush, | J. S. Lawson, | Joseph T. Tucker, |
| Thomas P. Cardwell, | G. W. Little, | T. W. Varnon, |
| Robert M. Carlisle, | J. J. McAfee, | E. F. Waide, |
| John S. Carpenter, | Bryan S. McClure, | T. J. Walker, |
| George Carter, | Wm. J. McElroy, | J. L. Waring, |
| B. E. Cassilly, | M. E. McKenzie, | C. H. Webb, |
| James S. Chrisman, | T. J. Megibben, | J. M. White, |
| C. M. Clay, jr., | J. C. Moorman, | Mordecai Williams, |
| Josiah H. Combs, | W. A. Morin, | F. A. Wilson, |
| Wm. G. Conrad, | Wm. Mynhier, | Jonas D. Wilson, |
| R. D. Cook, | J. L. Nall, | J. N. Woods, |
| R. L. Cooper, | John W. Ogilvie, | S. H. Woolfolk—81. |

In the negative—none.

And so said resolution was adopted.

A message was received from the Senate, asking leave to withdraw from this House the announcement of the passage by the Senate of a bill, entitled

An act to amend the charter of the town of Bowling Green.

Said leave was granted, and the bill delivered to the Senate messenger.

Mr. Chrisman moved to reconsider the vote by which this House, on a former day, discharged the Committee on the Judiciary from the further consideration of a leave, to them referred, to bring in a bill to repeal the act providing for a revision of the statutes.

And the question being taken thereon, it was decided in the negative.

And so the House refused to reconsider said vote.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, railroad, and insurance companies," approved March 15, 1871;

An act to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862;

An act authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads situated in said county;

An act requiring A. W. Blair, late sheriff of Nicholas county, to settle and pay over all public money in his hands;

An act for the benefit of Isabella Oxley, of Rowan county;

An act authorizing the clerk of the Nelson county court to make a cross-index to deeds in his office, and transcribe the marriage register in said office;

An act to regulate the sale of spirituous and vinous liquors in Uniontown and Caseyville;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate further the drawing of standing jurors for the Jefferson circuit court;

An act to change the boundary line of the city of Columbus;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Mr. Graves, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act to amend section 5, article 2, chapter 83, Revised Statutes, title "Revenue and Taxation,"

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Graves, from the same committee, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill for the benefit of James M. Greenwade, late sheriff of Menifee county.

A bill to legalize the action of the Commissioners of the Sinking Fund of Marion county in relation to sale of Louisville and Nashville Railroad stock, and other matters pertaining thereto.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up from the orders of the day, and resumed the further consideration of, the bill from the Senate, entitled

An act to amend the laws of evidence in this Commonwealth,

Together with the amendment proposed by Mr. Jessee.

Said amendment is as follows, viz:

§ —. That if, after the passage of this act, the courts of the United States shall take or assume jurisdiction of any case for a violation of any of the laws of this Commonwealth, or of any civil or criminal case, of which the laws of this State give the courts of this Commonwealth jurisdiction, on account of the fact that one of the parties to the action, in any way connected with the suit or prosecution, is a person of color, such fact shall have the effect to repeal the 7th section of this bill.

Mr. Waide moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Jessee, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Jessee and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | J. C. Moorman, |
| Wm. A. Allen, | Joseph M. Davidson, | W. A. Morin, |
| W. W. Ayers, | W. W. Deaderick, | Wm. Mynhier, |
| G. W. Bailey, | John W. Dyer, | Lewis Potter, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | E. A. Robertson, |
| W. R. Bates, | James Garnett, | J. R. Sanders, |
| J. A. Bell, | George M. Jessee, | Samuel M. Sanders, |
| S. C. Bell, | Thos. M. Johnson, | J. S. Taylor, |
| Church H. Blakey, | J. S. Lawson, | C. W. Threlkeld, |
| W. B. M. Brooks, | Bryan S. McClure, | Joseph T. Tucker, |
| Robert M. Carlisle, | Wm. J. McElroy, | C. H. Webb, |
| George Carter, | M. E. McKenzie, | F. A. Wilson, |
| C. M. Clay, jr., | T. J. Megibben, | S. H. Woolfolk—40. |
| Wm. G. Conrad, | | |

Those who voted in the negative were—

| | | |
|---|---|---|
| A. C. Armstrong, | Manlius T. Flippin, | John Rowan, |
| A. S. Arnold, | C. D. Foote, | John P. Rowlett, |
| W. N. Beckham, | Wm. Cassius Goodloe, | C. C. Scales, |
| J. C. S. Blackburn, | E. A. Graves, | William Sellers, |
| Wm. F. Bond, | C. P. Gray, | James W. Snyder, |
| W. W. Bush, | Wm. A Hoskins, | Wm. Tarlton, |
| Thomas P. Cardwell, | E. Polk Johnson, | Harry I. Todd, |

| | | |
|---|---|---|
| John S. Carpenter, | T. J. Jones, | L. W. Trafton, |
| B. E. Cassily, | G. W. Little, | T. W. Varnon, |
| James S. Chrisman, | J. J. McAfee, | E. F. Waide, |
| R. D. Cook, | J. A. McCampbell, | T. J. Walker, |
| Thomas H. Corbett, | J. L. Nall, | J. L. Waring, |
| J. E. Cosson, | John W. Ogilvie, | J. M. White, |
| Walter Evans, | Julian N. Phelps, | Jonas D. Wilson, |
| W. H. Evans, | Hiram S. Powell, | J. N. Woods—47. |
| M. Woods Ferguson, | W. L. Reeves, | |

And so said amendment was rejected.

*Ordered*, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, No person shall be disqualified as a witness, in any civil action or special proceeding, by reason of his interest in the event of the same as a party or otherwise; but such interest may be shown for the purpose of affecting his credibility.

§ 2. Nothing in the preceding section contained shall, in any manner, affect the laws now existing relating to the settlement of estates of deceased persons, infants, idiots, or lunatics, or the attestation of the execution of wills, or of conveyances of real estate, or of any other instrument required by the law to be attested.

§ 3. Neither husband nor wife shall be competent for or against each other, or concerning any communication made by one to the other, during marriage, whether called while that relation subsisted or afterwards: *Provided, however*, That in actions where the wife, were she a *feme sole*, would be plaintiff or defendant, the wife may testify, or her husband may testify, but both shall not be permitted to testify.

§ 4. No party shall be allowed to testify, by virtue of section 1, in any action or special proceeding where the adverse party is deaf and dumb, or an infant, or is the guardian or trustee of a child or children of a deceased person, or is the committee of an idiot or lunatic, or is the executor or administrator of a deceased person, or is the party claiming as heir or devisee of a deceased person, except in the following cases, viz:

1st. In actions or special proceedings with the executor, administrator, guardian, or trustee of infants, heir or devisee, as above specified, a party may testify to facts which occurred after the death of the decedent or parent.

2d. In actions or special proceedings upon contracts made by deceased persons through agents, and in which the agent shall testify, a party may testify to all that transpired between him and the agent in relation to such contract and the making thereof, and in relation to any conversations or transactions between himself and such agent testified to by the agent.

3d. In actions or special proceedings of either of the classes above specified, in which any adverse party, or any other person having a direct interest in the matter in controversy, shall be called as a witness, and testify to transactions or conversations with a party to such

action, such party shall also be permitted to testify as to such specific transactions and conversations.

4th. In actions or special proceedings of either of the classes above specified, in which one party calls a witness (other than an agent or person intrusted) to prove conversations or admissions of the opposite party, occurring before the death of said deceased person, but in his absence the opposite party may testify as to the same conversations or admissions.

5th. In actions or special proceedings of either of the classes above specified, in which the claim or defense is founded on book account, a party may testify as to the correctness of the original entries, if made by himself, and on such authentication of the account-book and entries, said book and entries shall be admissible as evidence in the case.

6th. If the deposition of a party who has died during the pendency of the suit shall be given in evidence on the trial of such cause, the opposite party may testify as to all matters contained in said deposition, and not excluded by irrelevancy or inadmissibility. In all actions or special proceedings by or against a surviving partner or partners, or a surviving joint contractor or contractors, no adverse party to the suit shall be a competent witness to testify to transactions or declarations or admissions made by the deceased in the absence of his surviving partner or joint contractor.

§ 5. No person who would, if a party, be incompetent to testify under the provisions of section four of this act, shall become competent by reason of the assignment of his claim.

§ 6. No person shall be deemed competent to testify in behalf of his own interest, and against the interest of an adverse party, in any action or special proceeding in which such adverse party is not before the court otherwise than by constructive service.

§ 7. No one shall be incompetent as a witness because of his or her race or color.

§ 8. This act shall be in effect from its passage.

Mr. Jessee then offered the following amendment by way of engrossed ryder, viz:

§ —. That if, after the passage of this act, the courts of the United States shall take or assume jurisdiction of any case for a violation of the laws of this Commonwealth, or of any civil or criminal case, of which the laws of Kentucky gives jurisdiction to its courts, on account of the fact that one of the parties to the action, in any way connected with the suit or prosecution, is a person of color, such fact shall have the effect to suspend the operation of this act; and thereupon the Governor shall issue his proclamation to that effect, and who shall make report thereof to the next General Assembly.

But the Speaker ruled the said proposed amendment to be out of order at this stage of the bill.

Mr. Blakey then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blakey and Jessee, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | James Garnett, | John P. Rowlett, |
| Church H. Blakey, | George M. Jessee, | J. R. Sanders, |
| Robert M. Carlisle, | T. M. Johnson, | Samuel M. Sanders, |
| George Carter, | J. S. Lawson, | William Tarlton, |
| William G. Conrad, | Bryan S. McClure, | J. S. Taylor, |
| Joseph M. Davidson, | William J. McElroy, | C. W. Threlkeld, |
| W. W. Deaderick, | M. E. McKenzie, | L. W. Trafton, |
| James B. Fitzpatrick, | Wm. Mynhier, | F. A. Wilson—24. |
| Joseph P. Foree, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Julian N. Phelps, |
| Wm. A. Allen, | John W. Dyer, | Lewis Potter, |
| George W. Anderson, | Walter Evans, | Hiram S. Powell, |
| A. C. Armstrong, | W. H. Evans, | W. L. Reeves, |
| A. S. Arnold, | M. Woods Ferguson, | E. A. Robertson, |
| W. W. Ayers, | Manlius T. Flippin, | John Rowan, |
| W. R. Bates, | C. D. Foote, | C. C. Scales, |
| W. N. Beckham, | Wm. Cassius Goodloe, | William Sellers, |
| John A. Bell, | E. A. Graves, | James W. Snyder, |
| S. C. Bell, | C. P. Gray, | Harry I. Todd, |
| J. C. S. Blackburn, | Clinton Griffith, | Joseph T. Tucker, |
| Wm. F. Bond, | Wm. A. Hoskins, | T. W. Varnon, |
| W. B. M. Brooks, | E. Polk Johnson, | E. F. Waide, |
| W. W. Bush, | T. J. Jones, | T. J. Walker, |
| Thos. P. Cardwell, | G. W. Little, | J. L. Waring, |
| John S. Carpenter, | J. J. McAfee, | C. H. Webb, |
| B. E. Cassilly, | J. A. McCampbell, | J. M. White, |
| James S. Chrisman, | T. J. Megibben, | Mordecai Williams, |
| C. M. Clay, jr., | J. C. Moorman, | Jonas D. Wilson, |
| Josiah H. Combs, | W. A. Morin, | J. N. Woods, |
| R. D. Cook, | J. L. Nall, | S. H. Woolfolk—65. |
| Thomas H. Corbett, | John W. Ogilvie, | |

And so the House refused to reconsider said vote.

Mr. Ogilvie then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and Evans, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | George Carter, | M. E. McKenzie, |
| George W. Anderson, | B. E. Cassilly, | T. J. Megibben, |

A. S. Arnold,
W. W. Ayers,
W. R. Bates,
S. C. Bell,
J. C. S. Blackburn,
W. W. Bush,
John S. Carpenter,
James S. Chrisman,
Thomas H. Corbett,
M. Woods Ferguson,
James Garnett,
E. A. Graves,
E. Polk Johnson,
W. A. Morin,
John W. Ogilvie,
John Rowan,
J. S. Taylor,
Harry I. Todd,
Joseph T. Tucker—25.

Those who voted in the negative, were—

Mr. Speaker (M'Creary)
A. C. Armstrong,
Alpheus W. Bascom,
W. N. Beckham,
John A. Bell,
Church H. Blakey,
Wm. F. Bond,
W. B. M. Brooks,
Thomas P. Cardwell,
Robert M. Carlisle,
Josiah H. Combs,
Wm. G. Conrad,
R. D. Cook,
R. L. Cooper,
J. E. Cosson,
Joseph M. Davidson,
W. W. Deaderick,
John W. Dyer,
Walter Evans,
W. H. Evans,
James B. Fitzpatrick,
Manlius T. Flippin,
C. D. Foote,
Joseph P. Foree,
Wm. Cassius Goodloe,
C. P. Gray,
Clinton Griffith,
Wm. A. Hoskins,
George M. Jessee,
Thos. M. Johnson,
T. J. Jones,
J. S. Lawson,
G. W. Little,
J. J. McAfee,
J. A. McCampbell,
Bryan S. McClure,
W. J. McElroy,
J. C. Moorman,
Wm. Mynhier,
J. L. Nall,
Julian N. Phelps,
Lewis Potter,
Hiram S. Powell,
W. L. Reeves,
E. A. Robertson,
John P. Rowlett,
J. R. Sanders,
Samuel M. Sanders
C. C. Scales,
Wm. Sellers,
James W. Snyder,
William Tarlton,
C. W. Threlkeld,
L. W. Trafton,
T. W. Varnon,
E. F. Waide,
T. J. Walker,
J. L. Waring,
C. H. Webb,
J. M. White,
Mordecai Williams,
F. A. Wilson,
Jonas D. Wilson,
J. N. Woods,
S. H. Woolfolk—65.

And so the House refused to order the main question.

After further debate, the question was taken on the passage of said bill, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mynhier and Bush, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary)
Wm. A. Allen,
George W. Anderson,
A. C. Armstrong,
A. S. Arnold,
W. W. Ayers,
W. R. Bates,
W. N. Beckham,
John A. Bell,
S. C. Bell,
J. C. S. Blackburn,
Wm. F. Bond,
J. E. Cosson,
John W. Dyer,
Walter Evans,
W. H. Evans,
M. Woods Ferguson,
Manlius T. Flippin,
C. D. Foote,
Joseph P. Foree,
James Garnett,
Wm. Cassius Goodloe,
E. A. Graves,
C. P. Gray,
J. L. Nall,
John W. Ogilvie,
Julian N. Phelps,
Lewis Potter,
W. L. Reeves,
John Rowan,
John P. Rowlett,
C. C. Scales,
Wm. Sellers,
James W. Snyder,
Wm. Tarlton,
Harry I. Todd,

| | | |
|---|---|---|
| W. B. M. Brooks, | Clinton Griffith, | Joseph T. Tucker, |
| W. W. Bush, | Wm. A. Hoskins, | T. W. Varnon, |
| Thomas P. Cardwell, | E. Polk Johnson, | E. F. Waide, |
| John S. Carpenter, | G. W. Little, | T. J. Walker, |
| B. E. Cassilly, | J. A. McCampbell, | J. L. Waring, |
| James S. Chrisman, | Bryan S. McClure, | J. M. White, |
| C. M Clay, jr., | T. J. Megibben, | Jonas D. Wilson, |
| R. D. Cook, | J. C. Moorman, | J. N. Woods, |
| Thomas H. Corbett, | W. A. Morin, | S. H. Woolfolk—63. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | George M. Jessee, | E. A. Robertson, |
| Church H. Blakey, | T. M. Johnson, | J. R. Sanders, |
| Robert M. Carlisle, | T. J. Jones, | Samuel M. Sanders, |
| George Carter, | J. S. Lawson, | J. S. Taylor, |
| Josiah H. Combs, | J. J. McAfee, | C. W. Threlkeld, |
| Wm. G. Conrad, | Wm. J. McElroy, | L. W. Trafton, |
| R. L. Cooper, | M. E. McKenzie, | C. H. Webb, |
| Joseph M. Davidson, | Wm. Mynhier, | Mordecai Williams, |
| W. W. Deaderick, | Hiram S. Powell, | F. A. Wilson—28. |
| James B. Fitzpatrick, | | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Waide then moved to reconsider the vote by which said bill was passed.

Mr. Bush moved to lay the motion of Mr. Waide on the table.

And the question being taken on the motion of Mr. Bush, it was decided in the affirmative.

The yeas and nays being require thereon by Messrs. Bascom and Blakey, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | John W. Ogilvie, |
| Wm. A. Allen, | Walter Evans, | Julian N. Phelps, |
| A. C. Armstrong, | M. Woods Ferguson, | Lewis Potter, |
| A. S. Arnold, | Manlius T. Flippin, | W. L. Reeves, |
| W. W. Ayers, | C. D. Foote, | John Rowan, |
| W. R. Bates, | Joseph P. Foree, | John P. Rowlett, |
| W. N. Beckham, | Wm. Cassius Goodloe, | C. C. Scales, |
| John A. Bell, | E. A. Graves, | James W. Snyder, |
| J. C. S. Blackburn, | C. P. Gray, | Wm. Tarlton, |
| Wm. F. Bond, | Clinton Griffith, | C. W. Threlkeld, |
| W. B. M. Brooks, | Wm. A. Hoskins, | Harry I. Todd, |
| W. W. Bush, | E. Polk Johnson, | Joseph T. Tucker, |
| Thomas P. Cardwell, | T. J. Jones, | T. W. Varnon, |
| Robert M. Carlisle, | G. W. Little, | E. F. Waide, |
| John S. Carpenter, | J. A. McCampbell, | T. J. Walker, |
| B. E. Cassilly, | M. E. McKenzie, | J. L. Waring, |
| James S. Chrisman, | T. J. Megibben, | J. M. White, |
| William G. Conrad, | J. C. Moorman, | Jonas D. Wilson, |

| | | |
|---|---|---|
| R. D. Cook, | W. A. Morin, | J. N. Woods, |
| Thomas H. Corbett, | J. L. Nall, | S. H. Woolfolk—60. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | James Garnett, | Hiram S. Powell, |
| S. C. Bell, | George M. Jessee, | J. R. Sanders, |
| Church H. Blakey, | T. M. Johnson, | Samuel M. Sanders, |
| George Carter, | J. S. Lawson, | Wm. Sellers, |
| R. L. Cooper, | Bryan S. McClure, | J. S. Taylor, |
| W. W. Deaderick, | William J. McElroy, | L. W. Trafton, |
| John W. Dyer, | Wm. Mynhier, | F. A. Wilson—22. |
| James B. Fitzpatrick, | | |

Mr. Waide offered the following resolution, viz:

*Resolved*, That the Commissioners of the Sinking Fund be, and they are hereby, requested to report, at their earliest convenience, to this House, whether or not they sold the stock in the Short-Line Railroad as directed by joint resolution of this General Assembly; and if not, whether the sale can yet be made; and if so, upon what terms; and whether or not they believe it best for the interests of the State to consummate said sale.

Which was adopted.

Mr. Flippin offered the following joint resolutions, which lie one day on the table, viz:

WHEREAS, The present site of the National Capital was selected as the most central point when the people of this Republic inhabited only a narrow strip of country along the coast of the Atlantic; and whereas, the population, wealth, and area of this country have vastly increased since then, and spread almost over an entire continent; and whereas, the present location of the National Capital is remote and inconvenient in times of peace, and in times of war so exposed as to require vast armies of men and millions of money for its special protection and defense; and whereas, every reason which operated to induce the location of the National Seat of Government where it now is has ceased to exist, in consequence of the great growth and development of our country; therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the people of the United States have endured the present ill-located Capital of their country for three quarters of a century, patiently waiting for the vast territory of the Union to be peopled and organized into States, and until the center of population, area, and wealth should be determined, when a permanent site for the National Capital could be selected. That time has now arrived; and the interests of the American people and the welfare of our common country alike demand that the National Capital should be removed to the interior of the United States.

2. That the vast and fertile region known as the Mississippi Valley must for all time be the seat of empire for this continent. This vast plain must ever be the principal food-producing portion of the continent, and the great market for the fine fabrics and tropical productions of other sections of the Union.

3. That the natural, convenient, and inevitable place for the Capital of the United States is in the heart of the great Mississippi Valley, where the center of wealth, population, and power is rapidly and irresistibly gravitating; where the government, surrounded by numerous millions of brave citizens, would be forever safe from the aggressions of foreign foes, and where it would need neither armament nor standing armies for its protection.

4. That our Senators in Congress be instructed, and our Representatives be requested, to use all honorable and legitimate means in their power to secure the removal of the National Capital to some point in the Mississippi Valley, at such time, on such conditions, and in such manner, as in their judgment may best subserve the interests of the people of this Commonwealth and of our entire country.

5. That the Secretary of State be directed to prepare and transmit one copy of these resolutions to our Senators, and one to our Representatives, in the Congress of the United States.

Mr. Graves offered the following resolution, viz:

*Resolved*, That the Committee on Revised Statutes be directed to inquire into the expediency of reducing the fees of all clerks and other officers of the Commonwealth of Kentucky to the standard price fixed by law for the same, and all similar services, as it existed on the first day of January, 1860; and that they report by bill or otherwise at the earliest day practicable.

Which was adopted.

Mr. Bush offered the following joint resolution, which lies one day on the table, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the present session of the Legislature finally adjourns, it will adjourn *sine die*, and that no extra session will be held unless called by the Executive of the State.

Mr. Garnett offered the following resolution, viz:

*Resolved*, That the Commissioners of the Sinking Fund be, and they are hereby, requested to inform this House, immediately, the terms of the contract made by them with the Bank of Kentucky; and whether or not, in their opinion, said contract should be completed and carried out; and what legislation is necessary in order to carry out said contract.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Foote—

1. A bill to amend the charter of the Dry Fork and Covington Turnpike Road Company.

On motion of Mr. Bond—

2. A bill for the benefit of Crossfield and Hardwick, of Anderson county.

On motion of same—

3. A bill for the benefit of A. Portwood.

On motion of Mr. Bates—

4. A bill relating to surveyors of public roads in the counties of Metcalfe and Barren.

On motion of Mr. Bascom—

5. A bill to repeal an act incorporating the Sherburne Bridge Company, approved March 15th, 1871.

On motion of Mr. Williams—

6. A bill to repeal section 12, article 12, chapter 32, of the Revised Statutes.

On motion of same—

7. A bill to amend section 2, article 5, chapter 32, of the Revised Statutes.

On motion of Mr. Morin—

8. A bill to provide for the building of good school-houses in Campbell county.

On motion of same—

9. A bill for the benefit of the Alexander and Flagg Spring Turnpike Road Company.

On motion of same—

10. A bill to provide for the redistricting of the school districts of Campbell county.

On motion of Mr. McClure—

11. A bill to prevent persons from driving with hounds on certain lands.

On motion of Mr. Powell—

12. A bill to amend the charter of the Red River Iron Manufacturing Company.

On motion of same—

13. A bill to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county.

On motion of Mr. Jones—

14. A bill to provide for the building of good school-houses in the First Congressional District.

On motion of Mr. Waring—

15. A bill for the benefit of Greenup county.

On motion of Mr. Nall—

16. A bill for the benefit of James Vinson and others, in Hardin county.

On motion of Mr. Combs—

17. A bill to provide for the appointment of a county treasurer in Perry county.

On motion of Mr. Megibben—

18. A bill to authorize the clerk of the Harrison circuit court to continue the cross-idex of the judgments of said court.

On motion of Mr. Trafton—

19. A bill concerning the fees of clerks of the county courts of this Commonwealth.

On motion of same—

20. A bill for the benefit of the mechanics and laboring men of this Commonwealth.

On motion of same—

21. A bill to incorporate the St. Louis Cemetery, of Henderson.

On motion of Mr. Arnold—

22. A bill to change section 329, Civil Code of Practice.

On motion of same—

23. A bill to authorize the Hickman county court to issue bonds for the purpose of building a court-house.

On motion of same—

24. A bill for the benefit of school district No. 16, in Fulton county.

On motion of same—

25. A bill for the benefit of B. L. Carr, of Hickman county.

On motion of same—

26. A bill to amend the charter of the city of Columbus, in Hickman county.

On motion of Mr. Foote—

27. A bill to regulate and establish tolls on the Covington and Cincinnati bridge.

On motion of same—

28. A bill to suppress the selling of intoxicating drinks to minors.

On motion of Mr. Carlisle—

29. A bill to amend the charter of the Independence and Big Bone Turnpike Road Company.

On motion of same—

30. A bill to authorize justices of the peace to hold inquests in the 3d, 4th, and 5th justices' districts in Kenton county.

On motion of Mr. S. M. Sanders—

31. A bill for the benefit of the sheriff and circuit clerk of Larue county.

On motion of Mr. J. D. Wilson—

32. A bill to amend an act to prevent the destruction of fish in Clover Creek, in Breckinridge county.

On motion of Mr. Fitzpatrick—

33. A bill to provide for the appointment of a county treasurer in Pike county.

On motion of same—

34. A bill to provide for the appointment of a county treasurer in Letcher county.

On motion of Mr. Varnon—

35. A bill to amend the charter of the Hustonville and McKinney's Station Turnpike Road Company, in Lincoln county.

On motion of same—

36. A bill to require parties seeking to have a turnpike road closed for want of repairs to give the president five days' notice before proceeding to close the road.

On motion of same—

37. A bill to authorize receivers to release liens after the payment of the money.

On motion of same—

38. A bill to amend an act for the benefit of Lincoln county, approved December, 1871.

On motion of Mr. Ferguson—

39. A bill in relation to corporations created by, or exercising any powers, rights, or privileges conferred by, the General Assembly of Kentucky.

On motion of Mr. Waide—

40. A bill to repeal an act, approved March 22d, 1871, changing the time of paying the revenue into the Treasury.

On motion of Mr. Speaker (McCreary)—

41. A bill to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company.

On motion of same—

42. A bill to incorporate the Stoner River and Kentucky River Turnpike Road Company, in Madison county.

On motion of same—

43. A bill to incorporate the town of Kingston, in Madison county.

On motion of Mr. Graves—

44. A bill to amend the charter of St. Mary's College, in Marion county.

On motion of Mr. Cooper—

45. A bill to allow persons in road district No. 3, in Mason county, to work out their road tax on the Germantown and North Fork Turnpike Road.

On motion of Mr. Allen—

46. A bill to repeal an act for the removal of the county seat of Meade county.

On motion of Mr. McAfee—

47. A bill for the benefit of Eliza Low, of Mercer county.

On motion of Mr. Griffith—

48. A bill for the benefit of C. S. Throckmorton, of Daviess county.

On motion of Mr. Mynhier—

49. A bill to amend an act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts, approved March 10, 1871.

On motion of same—

50. A bill to prevent the sale of ardent spirits in Morgan county.

On motion of same—

51. A bill for the benefit of William Resner and Chas. Menix, of Morgan county.

On motion of Mr. Taylor—

52. A bill for the benefit of school district No. 26, in Ohio county.

On motion of Mr. J. A. Bell—

53. A bill to prevent and punish certain trespasses in Scott county.

On motion of Mr. Reeves—

54. A bill repealing subdivisions 1, 2, and 3, of section 670, of the Civil Code of Practice.

On motion of Mr. Dyer—

55. A bill for the benefit of school district No. 19, in Union county.

On motion of same—

56. A bill for the improvement of Tradewater river.

On motion of Mr. Bailey—

57. A bill to amend the charter of the town of Dixon, in Webster county.

On motion of Mr. Little—

58. A bill to regulate the taxing of attorneys' fees in suits in the courts of Kentucky.

On motion of Mr. Blackburn—

59. A bill concerning official sales in Woodford county.

On motion of Mr. E. Polk Johnson—

60. A bill to amend section 276 of the Criminal Code of Practice.

On motion of Mr. Armstrong—

61. A bill to amend the road laws of Bracken county.

On motion of Mr. Tucker—

62. A bill to repeal an act approved March 22d, 1871, relating to the Germantown precinct, in Clark county.

On motion of same—

63. A bill for the benefit of Montgomery Lodge, No. 23, Free and Accepted Masons.

On motion of Mr. Sellers—

64. A bill to amend the charter of the Lowell and Spoonsville Turnpike Road Company, approved February 1st, 1868.

On motion of Mr. Brooks—

65. A bill to empower the county court of Bullitt county to sell the clerks' offices.

On motion of Mr. Jessee—

66. A bill for the benefit of E. P. Thomas.

On motion of same—

67. A bill to charter the New Castle and Gray Farm Turnpike Road Company.

On motion of same—

68. A bill to amend the Eminence and Smithfield Turnpike Road Company.

On motion of same—

69. A bill to amend the Eminence and Mulberry Turnpike Road Company.

On motion of same—

70. A bill to allow a vote to be taken in Henry county to remove the county seat.

On motion of Mr. Gray—

71. A bill for the benefit of C. G. Bean, of Clinton county.

On motion of Mr. Ferguson—

72. A bill to repeal section 24, chapter 80, title "Real Estate," of the Revised Statutes.

*Ordered*, That the Committee on Internal Improvement prepare and bring in the 1st, 29th, 35th, 36th, 41st, 42d, 45th, 46th, 67th, 68th, and 69th; the Committee on Propositions and Grievances the 2d, 11th, 32d, 46th, 48th, and 53d; the Committee on Claims the 3d, 47th, and 71st; the Committee on the Revised Statutes the 4th, 6th, 7th, 17th,

18th, 19th, 30th, 33d, 34th, 37th, 58th, 61st, and 63d; the Committee on Corporate Institutions the 5th, 16th, 26th, 43d, and 57th; the Committee on Education the 8th, 10th, 14th, 24th, 25th, 49th, 52d, and 55th; the Committee on the Judiciary the 9th, 20th, 39th, 54th, 59th, and 72d; the Committee on County Courts the 15th, 23d, 27th, 31st, 38th, 64th, 65th, 66th, and 70th; the Committee on Charitable Institutions the 21st; the Committee on Codes of Practice the 22d and 60th; the Committee on Religion the 28th, 50th, and 62d; the Committee on Ways and Means the 51st; a select committee, consisting of Messrs. Powell, Conrad, Cardwell, Threlkeld, and W. H. Evans, the 12th and 13th; a select committee, consisting of Messrs. Graves, Ayers, and Varnon, the 44th; and a select committee heretofore raised on Revision of Revenue Laws, the 40th.

And then the House adjourned.

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## THURSDAY, JANUARY 25, 1872.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

An act to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868.

An act authorizing the sale of lands belonging to Saint Teresa's Catholic Church, in Meade county.

An act to amend an act for the benefit of Boone county, approved January 30, 1871.

An act to amend section 2, article 13, chapter 36, of the Revised Statutes.

An act for the benefit of the Pine Knob Turnpike Company.

An act to authorize the Graves county court to sell the old clerks' offices.

An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county.

An act to repeal an act to prohibit the sale of spirituous, malt, or vinous liquors in Campbellsville.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Benevolent Society in the city of Paducah.

2. An act to incorporate the Pewee Valley Cemetery Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred to the Committee on Corporate Institutions.

On motion of Mr. Griffith, leave was given to bring in a bill to incorporate the Grand Lodge of Kentucky of the Order of the Knights of the Red Star, located at Frankfort.

*Ordered*, That the Committee on the Judiciary prepare and bring in the same.

The following petitions and remonstrance were presented, viz:

By Mr. Cook—

1. The petition of sundry citizens of Rockcastle county, praying the passage of an act empowering the county court of said county to sell their seminary property, and appropriate the proceeds thereof to common school purposes.

By Mr. Scales—

2. The petition of J. J. Macklin, sheriff of Kenton county, praying that compensation may be allowed him for conveying certain persons to Fayette circuit court.

By Mr. Cooper—

3. The petition of citizens of Dover and vicinity, praying the repeal of an act investing the trustees of said town with power to control public funds of school district No. 2, in Mason county.

By Mr. Blackburn—

4. The remonstrance of sundry citizens of Woodford county, against the passage of an act to tax dogs.

By Mr. Tarlton—

5. The petition of a majority of the stockholders of the Oldham and Jefferson Turnpike Company, praying an amendment of their

charter, so as to allow them to sell the stock of said road to pay off its indebtedness.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Education; the 2d to the Committee on Claims; the 4th to the Committee on Agriculture and Manufactures; and the 5th to the Committee on Propositions and Grievances.

On motion of Mr. Sacksteder, it was entered on the Journal that he was unavoidably absent when the bill from the Senate, entitled "An act to amend the laws of evidence in this Commonwealth," was up for consideration on yesterday; and if he had been present, would have voted for the same.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to establish a colored school in the city of Henderson;"

An act to authorize the Auditor of Public Accounts to audit and settle claims of sheriffs of this Commonwealth for conveying convicts to the penitentiary of this State;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

According to order, the House took up for further consideration a bill, entitled

A bill to repeal the several acts, entitled "An act to regulate the sale and inspection of tobacco in the city of Louisville."

On motion of Mr. Corbett,

*Ordered*, That said bill be recommitted to a select committee, consisting of Messrs. Corbett, Gray, Evans, Reeves, J. D. Wilson, Threlkeld, and Griffith, and its further consideration postponed.

According to order, the House took up for further consideration a bill, entitled

A bill regulating the taking of bail bonds.

Mr. Corbett offered an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the House the response of the Managers of the Eastern Lunatic Asylum to a resolution of this House heretofore adopted.

*Ordered*, That the same be referred to the Committee on Charitable Institutions.

The House took up the amendment proposed by the Senate to a bill, which originated in this House, entitled

An act to protect fish in Drake's creek, in Simpson county.

Said amendment was concurred in.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. McKenzie, from the Committee on Ways and Means—

A bill for the benefit of Ambrose Portwood, sheriff of Anderson county.

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to amend the charter of the city of Columbus.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Frenchburg, in Menifee county."

By same—

A bill to incorporate the Riverton Iron and Mining Company.

By same—

A bill to incorporate the town of Martinsburg, in Elliott county.

By same—

A bill to amend the charter of the Second German Protestant Benevolent Society, of Louisville.

By same—

A bill to amend the charter of the city of Paris.

By same—

A bill to incorporate the Workman's Publishing Company, of the city of Louisville.

By same—

A bill to repeal the charter of the Methodist Episcopal Church, South, of Louisville.

By same—

A bill to amend the charter of the Cornwall Candle Factory, of Louisville.

By same—

A bill to incorporate East Cedar Hill Institute, in Jefferson county.

By same—

A bill to incorporate the German Roman Catholic St. Andrew's Benevolent Society, of Louisville.

By same—

A bill creating a lien on property for the erection of gas lamp-posts in the city of Paducah.

By same—

A bill to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Sonora, in Hardin county."

By same—

A bill for the benefit of St. Joseph's Industrial School for Boys, in the city of Louisville.

By Mr. Scales, from the same committee—

A bill to amend the charter of the town of Lawrenceburg.

By same—

A bill to amend the charter of the oity of Augusta, in Bracken county.

By same—

A bill to incorporate the town of Boston Station, in Pendleton county.

By same—

A bill to charter the town of Kuttawa, in Lyon county.

By same—

A bill for the benefit of Lark Howard, of Magoffin county.

By Mr. Woolfolk, from the same committee—

A bill to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Earlington."

By same—

A bill to repeal the charter of the Providence Mining, Manufacturing, and Shipping Company.

By same—

A bill to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Pewee Valley, in Oldham county."

By Mr. Blakey, from the same committee—

A bill to amend an act to incorporate the town of Smith Grove, in Warren county.

By Mr. Mynhier, from the same committee—

A bill to incorporate the town of Fulton, in Fulton county.

By same—

A bill to amend the charter of the town of Greenupsburg.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Rich Pond, in Warren county."

By same—

A bill to extend the corporate limits of the town of Paradise, in Muhlenburg county.

By same—

A bill to amend an act revising the charter of the city of Paducah, Kentucky, approved February 11th, 1871.

By Mr. J. A. Bell, from the same committee—

A bill to incorporate the town of Jackson.

By same—

A bill to incorporate Independent Order of Odd Fellows, No. 83, Hickman, Fulton county.

By same—

A bill revising the charter of the town of New Liberty, Owen county.

By same—

A bill to incorporate the White Oak Turnpike Road Company, in Bath county.

By same—

A bill to incorporate the Scuffletown Fence Company.

By Mr. Ogilvie, from the Committee on Internal Improvement—

A bill to incorporate the Paducah and North Ballard Turnpike Road Company.

By same—

A bill to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company.

By same—

A bill to provide for the improvement of the public roads in Butler county.

By same—

A bill to amend the charter of the Campbell Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act to build a turnpike road in Lewis and Mason counties."

By same—

A bill for the benefit of Benj. Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county.

By Mr. Carlisle, from the same committee—

A bill to amend the charter of the Union and Richwood Turnpike Road Company.

By same—

A bill to charter the Ludlow and Florence Turnpike Road.

By same—

A bill to amend an act, entitled "An act to amend the charter of the Covington and Lexington Turnpike Road Company.

By same—

A bill to amend the charter of the Independence and Big Bone Turnpike Road Company.

By Mr. Dyer, from the same committee—

A bill incorporating the Beech Fork and Simpson's Creek Turnpike Road Company.

By same—

A bill to amend the road law of Union county.

By same—

A bill to incorporate the Cabin Creek Turnpike Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Anderson, from the Committee on Corporate Institutions—

An act to amend the charter of the town of Carlisle, in Nicholas county.

By same—

An act to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company."

By same—

An act to amend the charter of the town of Mayfield.

By same—

An act to incorporate the Louisville Car Wheel and Railway Supply Company.

By same—

An act amending section 1 of an act, approved February 27th, 1860, entitled "An act to incorporate the Eminence Cemetery Company."

By same—

An act to amend the charter of the Bowling Green Water-works Company.

By Mr. J. D. Wilson, from the Committee on Corporate Institutions—

An act in relation to the Bardstown and Green River Turnpike Road Company.

By same—

An act for the benefit of the Mulberry and Consolation Turnpike Road Company, in the county of Shelby.

By Mr. Dyer, from the same committee—

An act to incorporate the Mississippi River Levee Company.

By Mr. Gray, from the Committee on Education—

An act for the benefit of the common school districts in Cumberland county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Dyer, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act authorizing the presiding judge of Nicholas county to make further subscriptions to unfinished turnpike roads in said county,

Reported the same without amendment.

Mr. Lawson offered an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

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## FRIDAY, JANUARY 26, 1872.

The following petitions and remonstrances were presented, viz:

By Mr. Sellers—

1. The petition of C. R. Millard and George A. Feathers, asking that their names be erased from a remonstrance against the extension of the corporate limits of Lancaster.

By Mr. Varnon—

2. The petition of certain stockholders in the Commercial Bank of Kentucky, praying an amendment to the charter of said bank.

By Mr. Rowlett—

3. The remonstrance of certain citizens of Hart county, protesting against the repeal of an act providing for a commissioner of claims for said county.

By Mr. Cook—

4. The remonstrance of ladies and gentlemen of Rockcastle county, against the repeal of the prohibitory liquor law of said county.

By Mr. Tarlton—

5. The petition of the stockholders of the Beard's Station, Floydsburg, and Aiken Turnpike Road Company, praying the passage of a law to allow them to sell said road to pay its indebtedness.

Which were received, the reading dispensed with, and referred—the 1st and 5th to the Committee on Corporate Institutions; the 2d to the Committee on Banks; the 3d to the Committee on County Courts; and the 4th to the Committee on Religion.

The Speaker laid before the House the response of the Commissioners of the Sinking Fund to a resolution adopted on the 24th inst., which was taken up and read as follows, viz:

OFFICE SINKING FUND COMMISSIONERS,
FRANKFORT, KY., January 25th, 1872.

HON. J. B. MCCREARY, *Speaker of the House of Representatives:*

In response to a resolution of the House of Representatives, passed on the 24th instant, requiring the Commissioners of the Sinking Fund to inform the House the terms of the contract made by them with the Bank of Kentucky, and whether or not, in their opinion, said contract should be completed and carried out, and what legislation is necessary in order to carry out said contract, said Commissioners beg leave to report:

That the terms of the contract indicated in the foregoing resolution are shown by a copy of the written memorandum thereof, made at the time, and subscribed by the Chairman of the Commissioners and by Thomas L. Barrett, of the committee representing the bank, bearing date 17th day of January, 1872, herewith submitted as part of this report.

The Commissioners of the Sinking Fund are of opinion said contract should be completed and carried out.

Among other reasons for this opinion are the following:

That $112 per share, cash, approximates so nearly the real cash value of the stock that it would be better for the State to accept this than to carry the bank into liquidation, if the State could do it. We think that by the time the assets—consisting mainly of bills and notes—were collected and reduced to cash, the expenses and losses would bring down the value of the stock nearly, if not quite, to $112 per share.

We do not believe we could realize as much as this from any other purchaser. We accomplish by the contract the double operation of selling our stocks and taking in our bonds without expense of agents, and with little risk of loss.

We will be enabled, in a few weeks, to retire the residue of the old bonds of the State, and relieve the financial department from the complications and embarrassments growing out of carrying the Sinking Fund in a separate account, and so far have command of our resources as to relieve, for the present, the necessity of raising the taxes, and also, it is hoped, from any necessity of issuing more than half the lately authorized loan. And we will thereby be enabled at once, after this contract is consummated, to resume full payment of claims against the Treasury.

If the proposed contract with the bank is rejected, our realization of any thing over $100 to the share must be at the end of expensive

and tedious litigation with the bank, in which the value of the State's stock, as well as that of individuals, would be depreciated greatly by the litigation.

From time to time we must make new loans and increase the State debt at a high interest, while unavailable means are lying idle for want of power to use them, until the old State debt is paid: and while these means are so lying idle, they are in constant danger of depreciation and loss.

The passage of the Senate bill now pending before the House of Representatives will be all the legislation necessary to enable the State and the bank to carry out said contract.

Respectfully,

P. H. LESLIE,

*Chairman Board Commissioners Sinking Fund.*

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## MEMORANDUM OF AGREEMENT

*Between the Commissioners of the Sinking Fund and the President, Directors, and Company of the Bank of Kentucky.*

The latter agree to buy from the Commissioners aforesaid the stock owned by the State of Kentucky in the Bank of Kentucky, at the rate of one hundred and twelve dollars for each share of her stock, the stock being about 7,789 shares.

The said bank agrees to take in all the bonds of the State of Kentucky now due, and all her bonds to be due in 1872 and 1873, supposed to amount to six hundred and sixty-five thousand dollars. The bank is to pay the Commissioners the remainder of the value of the stock in cash on the day of ——, 187—, with interest thereon at six per centum from the 1st day of January, 1872.

The interest on all the State bonds which has accrued previous to the 1st day of January, 1872, must be accounted for by the Commissioners to the bank. All interest accruing after the 1st January, 1872, to be paid and accounted for by the bank to the holders of the bonds, without regard to the time the coupons fall due.

All the above is to depend upon the passage of an act by the General Assembly of the Commonwealth of Kentucky enabling the bank to buy the said stock, and amending the charter of said bank as contained in said enabling act, &c., and the acceptance of the stockholders of the agreement.

The said enabling act is now in the hands of the Governor of this Commonwealth.

P. H. LESLIE,

*Chairman Board Commissioners Sinking Fund.*

THOS. L. BARRETT,

JANUARY 17th, 1872. *Cashier of Bank of Kentucky.*

| | |
|---|---|
| 7,789 shares at $112 | $872,368 00 |
| Amount to be paid by taking of the bonds of the State | $665,000 00 |
| Amount to be paid in money | 207,368 00 |
| | $872,368 00 |

It is also understood and agreed, that if there be remaining unpaid, on the 1st January, 1874, any of the bonds falling due in 1872 and 1873 provided to be paid under the foregoing agreement, that the Bank of Kentucky will then pay to the Commissioners the amount of said bonds then unpaid, or make such arrangement as may then be agreed upon with reference to the payment of same.

P. H. LESLIE,
*Chairman Board Commissioners Sinking Fund.*
THOS. L. BARRETT,
*Cashier of Bank of Kentucky.*

*Ordered*, That said response be printed, and that the same be referred to the Committee on the Sinking Fund.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to protect fish in Drake's creek, in Simpson county;

An act to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, Revised Statutes;"

An act to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868;

An act authorizing the sale of lands belonging to St. Teresa's Catholic Church, in Meade county;

An act to amend an act for the benefit of Boone county, approved January 30, 1871;

An act to amend section 2, article 13, chapter 36, of the Revised Statutes;

An act for the benefit of the Pine Knob Turnpike Company;

An act to authorize the Graves county court to sell the old clerks' offices;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

On motion, leave of absence, indefinitely, was granted to Messrs. Wright, Beckham, Bascom, Threlkeld, Morin, Tarlton, and Bush.

Bills from the Senate, of the following titles, were reported, without amendment, by the committees to whom they had been referred, viz:

By Mr. Cassilly, from the Committee on Internal Improvement—

An act to declare Hood's Fork of Blain creek a navigable stream.

By Mr. Blakey, from the Committee on the Sinking Fund—

An act to amend an act, entitled "An act to provide for the payment of the State debt."

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to incorporate the Richmond Benevolent Society of Colored Persons.

By Mr. Dyer, from the Committee on Internal Improvement—

A bill to amend an act, entitled "An act to incorporate the Salt Lick, Esculapia, and Mt. Carmel Turnpike Road Company."

By same—

A bill for the benefit of the Augusta and Minerva Turnpike Road, in Bracken county.

By same—

A bill to repeal chapter 1107 of the acts of 1871.

By same—

A bill to repeal chapter 1108 of the acts of 1871.

By same—

A bill to repeal chapter 1175 of the acts of 1871.

By Mr. Cassilly, from the same committee—

A bill to amend the charter of the Board of Internal Improvement for Anderson county.

By same—

A bill to authorize the town of Falmouth to subscribe for turnpike stock.

By same—

A bill for the benefit of Augusta and Dover Turnpike Road Company.

By same—

A bill to incorporate the Stoner Run and Kentucky River Turnpike Road, in Madison county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid

The hour of 11 o'clock, A. M., having arrived, the House took up for further consideration a bill from the Senate, entitled

An act to amend the charter of the Bank of Kentucky.

Mr. Foote offered amendments to said bill.

Which were adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House, also, according to order, took up for further consideration a bill from the Senate, entitled

An act repealing an act approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies."

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

Mr. Chrisman then moved to reconsider the vote by which the House refused to order the bill to be read a third time.

Mr. Tucker moved to lay the motion of Mr. Chrisman on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Foote and Blackburn, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James S. Chrisman, | T. J. Jones, |
| George W. Anderson, | Thomas H. Corbett, | John W. Ogilvie, |
| W. W. Ayers, | Joseph M. Davidson, | James W. Snyder, |
| J. A. Bell, | M. Woods Ferguson, | J. S. Taylor, |
| Wm. F. Bond, | Wm. Cassius Goodloe, | L. W. Trafton, |
| W. B. M. Brooks, | C. P. Gray, | Joseph T. Tucker, |
| George Carter, | E. Polk Johnson, | T. W. Varnon—21. |

Those who voted in the negative were—

| | | |
|---|---|---|
| Wm. A. Allen, | Manlius T. Flippin, | Lewis Potter, |
| A. C. Armstrong, | C. D. Foote, | Hiram S. Powell, |
| A. S. Arnold, | Joseph P. Foree, | E. A. Robertson, |
| R. Tarv. Baker, | James Garnett, | John Rowan, |
| Alpheus W. Bascom, | E. A. Graves, | John P. Rowlett, |
| S. C. Bell, | Clinton Griffith, | J. R. Sanders, |
| J. C. S. Blackburn, | George M. Jessee, | Samuel M. Sanders, |
| Church H. Blakey, | Thos. M. Johnson, | C. C. Scales, |
| Robert M. Carlisle, | J. S. Lawson, | William Sellers, |
| John S. Carpenter, | G. W. Little, | Wm. Tarlton, |
| B. E. Cassily, | J. J. McAfee, | E. F. Waide, |
| C. M. Clay, jr., | Bryan S. McClure, | T. J. Walker, |
| Josiah H. Combs, | Wm. J. McElroy, | J. L. Waring, |
| Wm. G. Conrad, | M. E. McKenzie, | C. H. Webb, |
| R. D. Cook, | T. J. Megibben, | J. M. White, |
| R. L. Cooper, | J. C. Moorman, | Mordecai Williams, |
| W. W. Deaderick, | W. A. Morin, | F. A. Wilson, |
| John W. Dyer, | Wm. Mynhier, | Jonas D. Wilson, |
| Walter Evans, | J. L. Nall, | J. N. Woods, |
| W. H. Evans, | Julian N. Phelps, | S. H. Woolfolk—61. |
| James B. Fitzpatrick, | | |

The question was then taken on the motion of Mr. Chrisman, and it was decided in the affirmative.

And so said vote was reconsidered.

On motion of Mr. Waide,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, Thursday, February 1, at 11 o'clock, A. M.

The hour of 12 o'clock, M., having arrived, the House proceeded to the orders of the day, and took up for consideration amendments proposed by the Senate, to bills which originated in the House of Representatives, of the following titles, viz:

An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county.

An act to amend the charter of the Harrison County Agricultural Society.

An act to repeal an act to prohibit the sale of spirituous, malt, or vinous liquors in Campbellsville.

Said amendments were concurred in, and the title of the last named bill changed to read,

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville," approved March 21, 1871.

The House then took up from the orders of the day a bill, entitled

A bill for the benefit of the Northern Bank of Kentucky.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there shall be, and is hereby, granted to the Northern Bank of Kentucky the same right of subscribing and purchasing stock in national banks, and subject to the same limitations and restrictions, as are granted to the Commercial Bank of Kentucky and the Farmers' Bank of Kentucky, by an act, entitled "An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky," approved March 11, 1871.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and Blackburn, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. H. Evans, | John Rowan, |
| A. C. Armstrong, | M. Woods Ferguson, | John P. Rowlett, |
| A. S. Arnold, | Manlius T. Flippin, | C. C. Scales, |
| G. W. Bailey, | C. D. Foote, | Wm. Sellers, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | James W. Snyder, |
| Church H. Blakey, | E. A. Graves, | William Tarlton, |
| Wm. F. Bond, | E. Polk Johnson, | Harry I. Todd, |
| W. B. M. Brooks, | Thos. M. Johnson, | L. W. Trafton, |
| George Carter, | G. W. Little, | T. W. Varnon, |
| B. E. Cassilly, | T. J. Megibben, | E. F. Waide, |
| James S. Chrisman, | J. C. Moorman, | T. J. Walker, |
| C. M. Clay, jr., | J. L. Nall, | C. H. Webb, |
| Josiah H. Combs, | Julian N. Phelps, | J. M. White, |
| Wm. G. Conrad, | Lewis Potter, | F. A. Wilson, |
| R. D. Cook, | Hiram S. Powell, | Jonas D. Wilson—48. |
| W. W. Deaderick, | E. A. Robertson, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | J. S. Lawson, |
| Alpheus W. Bascom, | James Garnett, | Bryan S. McClure, |
| S. C. Bell, | C. P. Gray, | Wm. Mynhier, |
| J. C. S. Blackburn, | Clinton Griffith, | W. L. Reeves, |
| R. L. Cooper, | Wm. A. Hoskins, | J. S. Taylor, |
| Thomas H. Corbett, | George M. Jessee, | Joseph T. Tucker, |
| Joseph M. Davidson, | T. J. Jones, | S. H. Woolfolk—21. |

*Resolved*, That the title of said bill be as aforesaid.

And then the House adjourned.

## SATURDAY, JANUARY 27, 1872.

The following petitions and remonstrances were presented, viz:

By Mr. Corbett—

1. The petition of sundry citizens of Ballard county, praying the passage of an act to allow W. G. Scott, of Hinklesville, in said county, to retail spirits.

By Mr. Sellers—

2. The petition of sundry citizens of Garrard county, praying the passage of an act to extend the corporate limits of the town of Lancaster.

By same—

3. The petition of the trustees of Lancaster cemetery, praying the passage of an act therein named.

By Mr. Conrad—

4. The remonstrance of sundry citizens of Gallatin county, against the proposed change of its boundary line.

By Mr. Armstrong—

5. The remonstrance of citizens of Augusta, against any change in its present license laws.

By Mr. Speaker (McCreary)—

6. The petition of certain teachers of Madison county, praying the passage of an act in said petition named.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the Committee on County Courts; the 2d, 3d, and 5th to the Committee on Corporate Institutions; and the 6th to the Committee on Education.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company;"

An act to amend the charter of the town of Mayfield;

An act to amend section 5, article 2, chapter 83, Revised Statutes, title "Revenue and Taxation;"

An act to amend the charter of the town of Carlisle, in Nicholas county;

An act amending section 1 of an act, approved February 27th, 1860, entitled "An act to incorporate the Eminence Cemetery Company;"

An act for the benefit of the Mulberry and Consolation Turnpike Road Company, in the county of Shelby;

An act to amend the charter of the Bowling Green Water-works Company;

An act for the benefit of the common school districts in Cumberland county;

An act in relation to the Bardstown and Green River Turnpike Road Company;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county;

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, malt, or vinous liquors in the town of Campbellsville," approved March 21, 1871;

An act to amend the charter of the Harrison County Agricultural Society;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act for the benefit of Daniel Clark, of color, the "Ancient Governor."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Circuit Courts.

On motion, leave of absence, indefinitely, was granted to Messrs. Brooks, Deaderick, and T. N. Johnson.

The Speaker laid before the House the response of the Commissioners of the Sinking Fund to a resolution heretofore adopted, which was read as follows, viz:

OFFICE COMMISSIONERS SINKING FUND,
FRANKFORT, January 27, 1872.

HON JAMES B. MCCREARY, *Speaker House Representatives:*

The Commissioners of the Sinking Fund, in response to a resolution of the House of Representatives, requesting them to report whether "they have sold the stock held by the State of Kentucky in the Short-Line Railroad, as directed by a resolution of the General Assembly, and if not, to report whether the sale can yet be made, and upon what terms, and whether they believe it best for the interest of the State to consummate said sale," beg leave to report:

That before the resolution referred to came before the Governor, the time fixed by the Chesapeake and Ohio Railroad Company up to which they would purchase the stock had expired, to-wit: 27th December, 1871; nevertheless, a portion of the Commissioners had given, through the public papers, a week before the time expired, information of the passage of the resolution, and determined to do all in their power to carry out the expressed will of the General Assembly.

We found, however, that no provision was made in the resolution for any *security* to the State for the proceeds of the stock, and we felt that we could not discharge our duty to the State unless we demanded and obtained ample security for the purchase money. That security was not mentioned in the proposition of the Chesapeake and Ohio Railroad Company to pay sixty-five cents upon the dollar for the stock. We have proposed to sell the common stock held by the State in said road to the company mentioned at the price indicated, provided they will, after we transfer it to them, indorse it in blank, and deposit it with us as collateral security for the payment of the purchase money. Inasmuch as it is a foreign corporation, we are clearly of the opinion that some security like this should be demanded. We are now in negotiation with that company upon the subject of the sale, and believe we shall accomplish it.

As to the question asked us in the resolution, "Whether we believe it best for the interest of the State to consummate said sale?" we say, we are not agreed upon that question amongst ourselves; yet we all agree that it is our duty to carry out the directions of the General Assembly to sell; and we will cheerfully do so whenever we can get such security as we regard safe for the State.

Respectfully,

P. H. LESLIE,

*Chairman Board Commissioners Sinking Fund.*

*Ordered*, That said response be printed, and that the same be referred to the Committee on the Sinking Fund.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Foote, from the Committee on County Courts—

A bill to amend and reduce into one all the acts in regard to the town of Columbia.

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to incorporate the town of Kingston, in Madison county.

By Mr. Rowlett, from the Committee on Banks—

A bill to incorporate the Commercial Bank of Lebanon

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rowlett, from the Committee on Banks, to whom was recommitted a bill from the Senate, entitled

An act to incorporate the Western Tobacco Bank and Warehouse Company,

Reported the same with sundry amendments.

*Ordered*, That said bill and amendments be printed, and that the consideration of the same be postponed to, and made the special order of the day for, Thursday, 1st February, at 11 o'clock, A. M.

Bills from the Senate, of the following titles, were reported with amendments to each, by the committee to whom same were referred, to-wit :

By Mr. Rowlett, from the Committee on Banks—

1. An act to incorporate the Western German Savings Bank, of Louisville.

By Mr. Waide, from the same committee—

2. An act to incorporate the Bank of Commerce, of Louisville.

The amendments reported by the committee to said bills were then severally adopted.

*Ordered*, That said bills, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the title of the first named be as reported, and that the title of the second be changed so as to read, "An act to incorporate the Market Street Bank, of Louisville."

Mr. Scales offered the following resolution, viz:

*Resolved*, That a committee of five members of this House (to be named by the Speaker) be appointed to invite the Grand Duke Alexis to visit the city of Frankfort, and to tender to His Highness and suite the privileges of the Hall of the House of Representatives during their stay.

Mr. Jessee offered a substitute for said resolution.

Which was rejected.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McClure and Bates, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | J. L. Nall, |
| Wm. A. Allen, | James B. Fitzpatrick, | John W. Ogilvie, |
| A. C. Armstrong, | C. D. Foote, | Julian N. Phelps, |
| John A. Bell, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| J. C. S. Blackburn, | Clinton Griffith, | John P. Rowlett, |
| Church H. Blakey, | Wm. A Hoskins, | J. P. Sacksteder, |
| Thomas P. Cardwell, | E. Polk Johnson, | C. C. Scales, |
| John S. Carpenter, | T. J. Jones, | William Sellers, |
| George Carter, | J. S. Lawson, | Harry I. Todd, |
| B. E. Cassilly, | G. W. Little, | L. W. Trafton, |
| J. Guthrie Coke, | J. J. McAfee, | T. W. Varnon, |
| Josiah H. Combs, | J. A. McCampbell, | E. F. Waide, |
| R. D. Cook, | Wm. J. McElroy, | T. J. Walker, |
| Thomas H. Corbett, | M. E. McKenzie, | J. L. Waring, |
| J. E. Cosson, | T. J. Megibben, | J. M. White, |
| Walter Evans, | J. C. Moorman, | J. N. Woods—49. |
| W. H. Evans, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | C. P. Gray, | James W. Snyder, |
| G. W. Bailey, | George M. Jessee, | J. S. Taylor, |
| W. R. Bates, | Bryan S. McClure, | Joseph T. Tucker, |
| S. C. Bell, | Wm. Mynhier, | C. H. Webb, |
| Robert M. Carlisle, | W. L. Reeves, | F. A. Wilson, |
| Wm. G. Conrad, | John Rowan, | Jonas D. Wilson, |
| John W. Dyer, | Samuel M. Sanders, | S. H. Woolfolk—22. |
| James Garnett, | | |

And so said resolution was adopted.

Mr. Blackburn offered the following resolution, viz:

*Resolved*, That to the committee of invitation appointed to wait on the Grand Duke Alexis be added the name of the Speaker of this House, who shall be the chairman thereof.

Which was adopted.

The Speaker named the following members of this House to constitute the committee to invite the Grand Duke Alexis to visit Frankfort, to-wit: Messrs. Scales, Hoskins, Blackburn, Waide, and Goodloe.

Mr. Graves offered the following resolution, viz:

*Resolved*, That the Committee on Education be directed to inquire into the expediency of so amending the common school law of this Commonwealth so that it shall be the duty of the Superintendent of Public Instruction to adjust, examine, and determine what is due to any teacher for the teaching of any common school, in any school district of any county in this State, but the payment of which is withheld because of some informality, or in the failure of the trustees, or other officers of the common school system of Kentucky, to report in time, so as to enable the teacher, who has actually taught the school, and is entitled to the money therefor, so that the same can be at once paid over to him, without the delay and cost incident to the obtaining of a special act of the Legislature to authorize the payment of what is actually due to such teacher, or school district, for a school so taught as aforesaid; and further, to inquire whether it would be expedient to so change the law as to pay the common school teachers monthly or quarterly, as the school shall be taught, upon satisfactory evidence being adduced to the common school commissioner of such county, and that they report by bill or otherwise, as soon as may be practicable.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bates—

1. A bill to amend an act to fix the fees of county attorneys, approved February 21st, 1868.

On motion of Mr. Clay—

2. A bill to reduce into one, amend, and digest the act and amendatory acts incorporating the town of North Middletown.

On motion of Mr. Hoskins—

3. A bill to incorporate the Danville and Nashville Railroad Company.

On motion of Mr. Armstrong—

4. A bill to increase the jurisdiction of the county and magistrates' courts in Bracken county.

On motion of Mr. Cardwell—

5. A bill for the benefit of the citizens of Wolfe county.

On motion of same—

6. A bill submitting to the voters of Breathitt the propriety of voting a tax to build a bridge across the North Fork of the Kentucky river.

On motion of Mr. J. D. Wilson—

7. A bill for the benefit of school district No. 80, in Breckinridge county.

On motion of Mr. F. A. Wilson—

8. A bill to change the time of holding the common pleas court in Caldwell county.

On motion of Mr. Tucker—

9. A bill to amend the charter of the Clark County Agricultural Association.

On motion of same—

10. A bill to provide for the winding up of insolvent corporations.

On motion of same—

11. A bill requiring the Montgomery circuit and county clerks to make indexes and cross-indexes of the records of their respective courts.

On motion of Mr. Griffith—

12. A bill to amend section 9 of the charter of Owensboro.

On motion of same—

13. A bill to amend section 39 of the charter of Owensboro.

On motion of same—

14. A bill for the benefit of Buckner Wilhoite, of Owensboro.

On motion of same—

15. A bill to extend the corporate limits of Owensboro.

On motion of Mr. Goodloe—

16. A bill to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

On motion of same—

17. A bill to amend section 17, chapter 24, of the Revised Statutes.

On motion of same—

18. A bill to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky.

On motion of Mr. Sellers—

19. A bill to exempt the citizens of Garrard county from paying toll on turnpike roads in said county, when going to or from grist or flouring mills.

On motion of Mr. Todd—

20. A bill to amend an act incorporating the Kentucky High School, at Frankfort, approved March 3d, 1871.

On motion of same—

21. A bill to amend the charter of the city of Frankfort.

On motion of same—

22. A bill for the benefit of H. H. Crutcher, of Woodford county.

On motion of Mr. Megibben—

23. A bill for the benefit of the town of Leesburg, in Harrison county.

On motion of Mr. E. Polk Johnson—

24. A bill for the protection of stock in this Commonwealth.

On motion of Mr. Waring—

25. A bill to exempt the county of Greenup from the provisions of an act to provide for the building of good school-houses in the Eighth and Ninth Congressional Districts.

On motion of Mr. McAfee—

26. A bill to amend the charter of the town of Harrodsburg.

On motion of Mr. Fitzpatrick—

27. A bill to legalize the acts of the county courts of Clay, Perry, Breathitt, Letcher, and Josh Bell selling vacant and unappropriated lands in said counties.

On motion of same—

28. A bill to amend the law prohibiting the sale of spirituous liquors in Letcher county.

On motion of Mr. Webb—

29. A bill to amend an act incorporating the town of Calvert City, in Marshall county.

On motion of Mr. Varnon—

30. A bill to amend the charter of the Turnersville and Middletown Turnpike Road Company.

On motion of same—

31. A bill to amend the charter of the Crab Orchard and Cruise's Knob Turnpike Road Company.

On motion of same—

32. A bill to amend the charter of the Stanford and Milledgeville Turnpike Road Company.

On motion of Mr. Griffith—

33. A bill to amend the 18th section of the public school law of Owensboro.

On motion of Mr. Ferguson—

34. A bill to establish the Highland Park Corporation.

On motion of Mr. Waide—

35. A bill to amend chapter 28 of the Revised Statutes, entitled "Crimes and Punishments."

On motion of Mr. Sacksteder—

36. A bill to amend section 3, article 1, chapter 28, of the Revised Statutes.

On motion of same—

37. A bill to incorporate the Young Ladies and Gentlemen's Real Estate, Building, and Accumulating Fund Association, of Louisville, Kentucky.

On motion of Mr. S. C. Bell—

38. A bill to repeal an act to amend an act to establish the town of Frederick, in Barren county, approved 6th February, 1839.

On motion of Mr. Foree—

39. A bill to amend the charter of the Fishville and Buck Creek Turnpike Road Company, in Shelby county.

On motion of same—

40. A bill to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county.

On motion of same—

41. A bill to amend the charter of the Shelbyville and Burk's Branch Turnpike Road Company, in Shelby county.

On motion of same—

42. A bill to amend the charter of the town of Harrisonville, in Shelby county.

On motion of Mr. McKenzie—

43. A bill for the benefit of certain common school districts in Trigg county.

On motion of Mr. Dyer—

44. A bill for the benefit of R. S. Spalding.

On motion of same—

45. A bill in relation to delinquent tax-payers in Union county.

On motion of same—

46. A bill to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges.

On motion of Mr. Coke—

47. A bill for the benefit of Gilman Trafton.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st, 4th, 9th, 10th, 11th, 13th, 17th, 21st, 23d, 27th, 35th, and 36th; the Committee on Corporate Institutions the 2d, 12th,

15th, 20th, 34th, and 37th; the Committee on Railroads the 3d; the Committee on County Courts the 5th, 26th, 29th, 45th, and 46th; the Committee on Ways and Means the 6th; the Committee on Education the 7th, 25th, 33d, and 43d; the Committee on Circuit Courts the 8th; the Committee on the Judiciary the 14th, 16th, 22d, and 42d; the Committee on Printing the 18th; the Committee on Internal Improvement the 19th, 30th, 31st, 32d, 39th, 40th, and 41st; the Committee on Agriculture and Manufactures the 24th; the Committee on Religion the 28th; the Committee on Claims the 44th and 47th; and a select committee, consisting of Messrs. Bates, Garnett, and T. M. Johnson, the 38th.

And then the House adjourned.

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## MONDAY, JANUARY 29, 1872.

The following petitions were presented, viz:

By Mr. Tucker—

1. The petition of citizens of Clark county, praying the passage of a law to authorize the people of said county to take a vote upon the proposition to build a certain turnpike road.

By Mr. Cosson—

2. The petition of citizens of Pulaski county, praying the passage of a law to enable the citizens of that county to vote on the question of prohibiting the sale of ardent spirits in said county.

By Mr. Gray—

3. The petition of certain citizens of Clinton county, praying the passage of an act to enable said county to raise funds to pay off claims against the Negro Fund of said county.

By Mr. Sellers—

4. The petition of Merrill Hardin, of Garrard county, praying the passage of an act to refund him certain money paid to the Commonwealth.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts; the 2d to the Committee on

Religion; the 3d to the Committee on Claims; and the 4th to a select committee, consisting of Messrs. Varnon, E. Polk Johnson, Woolfolk, Beckham, and Sellers.

Mr. Rowlett, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act to incorporate the Exchange Bank and Tobacco Warehouse Company,

Reported the same with sundry amendments.

On motion of Mr. Foote,

*Ordered*, That said bill and proposed amendments be printed, and that the further consideration of the same be postponed to, and made the special order of the day for, Friday next, at 11 o'clock, A. M.

Mr. Ayers, from the Committee on Religion, to whom was referred a preamble and joint resolutions, entitled

Resolutions directing the Governor to have the remains of Governor John Adair removed to the cemetery at Frankfort,

Reported the same without amendment.

Mr. Blakey then offered an amendment thereto.

Which was adopted.

Said resolutions, as amended, read as follows, viz:

WHEREAS, The remains of the Hon. John Adair, once Governor of this Commonwealth, one of the first Senators in the Congress of the United States from this State, a member of the Twenty-second Congress, and the commander of the Kentucky troops at the battle of New Orleans under General Jackson, all of which positions he filled with eminent distinction and success, lie buried in a private and unfrequented spot in Mercer county; and whereas, it is eminently proper and befitting that the same respect should be paid to his memory and distinguished services that have been paid to other illustrious Kentuckians; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That His Excellency, the Governor, be directed to have the remains of ex-Governor John Adair disinterred and removed to the cemetery at Frankfort; and that he cause a suitable and appropriate monument to be erected to his memory in said cemetery.

2. That he cause a like monument to be erected over the remains of Governor John Breathitt in the public cemetery at Russellville, Kentucky.

3. That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer for the amount of the expenses that may be incurred by the Governor in executing the duties imposed upon him by the foregoing resolution.

The question was then taken on the adoption of said resolutions, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | Wm. Mynhier, |
| Wm. A. Allen, | R. L. Cooper, | J. L. Nall, |
| A. C. Armstrong, | J. E. Cosson, | John W. Ogilvie, |
| A. S. Arnold, | John W. Dyer, | Lewis Potter, |
| W. W. Ayers, | James B. Fitzpatrick, | Hiram S. Powell, |
| G. W. Bailey, | C. D. Foote, | W. L. Reeves, |
| R. Tarv. Baker, | Joseph P. Foree, | E. A. Robertson, |
| W. R. Bates, | James Garnett, | John Rowan, |
| John A. Bell, | Wm. Cassius Goodloe, | John P. Rowlett, |
| S. C. Bell, | E. A. Graves, | J. P. Sacksteder, |
| J. C. S. Blackburn, | C. P. Gray, | J. R. Sanders, |
| Church H. Blakey, | Clinton Griffith, | C. C. Scales, |
| W. B. M. Brooks, | George M. Jessee, | J. S. Taylor, |
| John S. Carpenter, | E. Polk Johnson, | C. W. Threlkeld, |
| George Carter, | J. S. Lawson, | Harry I. Todd, |
| James S. Chrisman, | J. J. McAfee, | L. W. Trafton, |
| C. M. Clay, jr., | J. A. McCampbell, | Joseph T. Tucker, |
| J. Guthrie Coke, | M. E. McKenzie, | T. W. Varnon, |
| Josiah H. Combs, | T. J. Megibben, | J. L. Waring, |
| William G. Conrad, | J. C. Moorman, | S. H. Woolfolk—60. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Thomas P. Cardwell, | G. W. Little, | Wm. Sellers, |
| Robert M. Carlisle, | Bryan S. McClure, | James W. Snyder, |
| W. H. Evans, | William J. McElroy, | J. M. White, |
| Manlius T. Flippin, | Julian N. Phelps, | Jonas D. Wilson—12. |

And so said resolutions were adopted.

*Resolved*, That the title thereof be so changed as to read,

Resolutions directing Governor to cause the remains of late Governor Adair to be reinterred in Frankfort cemetery, and to erect monuments over the graves of Governors Adair and Breathitt.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Foote, from the Committee on Banks—

A bill to incorporate the Caseyville Deposit Bank, of Union county.

By same—

A bill to incorporate the Smith's Grove Deposit Bank.

By Mr. Rowlett, from the same committee—

A bill to amend an act to incorporate the North Middletown Deposit Bank, approved March 15, 1869.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

An act to amend the charter of the Western Insurance and Banking Company.

With amendments to each of said bills.

On motion of Mr. Scales,

*Ordered*, That the consideration of the reports of the majority and minority of the Board raised by this House in regard to the matter of contest for a seat on this floor between Messrs. Walker and Woodworth, as the rightful Representative from the county of Lewis, be postponed to, and made the special order of the day for, Thursday next, at half-past ten o'clock, A. M.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Mississippi River Levee Company;

An act to incorporate the Louisville Car Wheel and Railway Supply Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Mr. Carpenter, from the Committee on Insurance, to whom was referred a bill from the Senate, entitled

An act to re-enact an act to amend an act, entitled "An act to provide for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other than Life Insurance Companies," approved March 12, 1871,

Made the following report, viz:

The general insurance law, approved March 12th, 1870, prescribes the securities in which the capital and accumulated funds of insurance companies may be invested.

An act approved March 21st, 1870, "to require insurance companies to conform to the general insurance laws of this Commonwealth," provides, that "whereas, special privileges may have been conferred upon some corporations which are partly or wholly designed for conducting the business of insurance, and which may not be so strictly guarded as if subject to the provisions of the general laws; for remedy whereof, be it enacted, that all corporations for doing an insurance or insurance and banking business, shall be subject to all the provisions and restrictions of said general laws."

During the summer of 1870, the Insurance Commissioner notified the companies doing insurance and banking business that their capital and funds accumulated in the course of their insurance business must be invested in the securities prescribed by section six of the general fire insurance laws. The companies expressed a desire to conform to the law, and asked time to enable them to do so. At the last session of the Legislature these companies obtained the passage of an act in their favor, granting them exemption from this particular section until the first of the present year, *and no longer;* and they are now here asking that the time allowed them shall be indefinitely extended, as shown by Senate bill No. 33, entitled "An act to re-enact an act to amend an act, entitled 'An act to provide for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other than Life Insurance Companies,'" approved March 12th, 1870; which bill passed the Senate December 14th, 1871, and was referred to the Insurance Committee of this House on — December, 1871.

The committee gave full hearing to the representatives of the companies that have made application for the passage of this bill, and have deliberately and carefully considered the subject in all its bearings, and have directed me, as chairman of the committee, to make this report.

The first important question discussed was in reference to the correctness of the principle upon which section 6, of the general fire insurance law, approved March 12, 1870, is founded; this section being that part of the law from the requirements of which the companies desire a special act of exemption.

The State, in creating insurance corporations, assumes to designate and prescribe the nature of securities in which insurance funds may be invested. In doing this, the State has forbidden banking, exchange, and discount business to be done with insurance capital, and the funds accumulated in the course of insurance business. In other words, it has declared the double business of insurance and banking shall not be conducted upon the same capital.

If this principle is correct, the general law is a good one, and it should stand. On the contrary, if the principle is admitted that banking and insurance should be conducted on the same capital, thus subjecting the banks to the greater hazards inherent in fire insurance, the general insurance laws should be changed, and all insurance companies permitted to do a general banking, discount, and exchange business, and all banks should be authorized to do a fire insurance business.

The passage of a special act, exempting these five Louisville companies from the operation of the existing law, would undoubtedly be followed by applications from other companies for the same privilege. It would be difficult, in this event, for the General Assembly to assign a good reason for not granting every application for like authority.

It is far better to adhere to the sound and correct principles, as set forth in the general laws, then to fall back upon the system of special acts, granting extraordinary privileges to a few corporations.

As evidence that the requirements of section 6, referred to, are correct in principle and should be thoroughly carried out in practice, attention is called to the provisions on this subject contained in the draft of an insurance law, recommended by a Convention of State Officers of Insurance, lately held in New York.

The Insurance Commissioner of Kentucky was chairman of the committee to which that Convention assigned the duty of reporting this law. The committee was aided by the advice of the ablest insurance men in the country, and the draft of a proposed uniform and general insurance law for all the different States was unanimously recommended by the Convention.

The following is an extract from the law referred to:

"§ 26. The capital stock and accumulations of any insurance company of this State shall be invested in the bonds or Treasury notes of the United States, or bonds of this State, or of any other State of the United States, or of any city, town, or county of this State, or of

any State of the United States, having legal authority to issue the same, bearing interest, or they may be invested or loaned on mortgages of unencumbered real estate in this, or any other State of the United States, worth at least double the amount loaned thereon, exclusive of buildings, except when such buildings are insured, and the policies duly assigned as additional security, or loaned on pledges of any of the securities named in this section: *Provided always*, That the current market value of such pledged securities shall be, at all times, during the continuance of such loans, at least twenty per cent. more than the sum loaned on them, and all such loans are subject to the power of the company to terminate the same in case of depreciation of the securities below the limit: *And provided*, That in all investments upon mortgage securities, the evidence of the debt shall accompany the mortgage or deed of trust."

This proposed section is in close accord with the present general insurance law of this State, except in the fact that it does not restrict investments to securities within the State.

By this proposed law, and by the present law of Kentucky, banking institutions are saved the fearful risks attending the business of fire insurance; and at the same time the fire insurance business is saved the unnecessary additional risk of making its safety dependent upon the permanent solvency of the banks of the country.

There is but one reason for uniting these two vastly important interests, and that is, to enable capital to make double profits by causing the public to incur a double risk. Capital, for the sake of immediate large profit, will sometimes incur the risk; but we are here to legislate for the interests of the people at large, and their interests demand that the banking business of the country shall not be subjected to the unnecessary hazards of fire insurance.

The companies asking this privilege are all located in the city of Louisville, and their business is mainly, if not entirely, confined to the limits of that city. Suppose that Louisville should be visited by a fire—not like that which recently destroyed Chicago, but similar to the great fires that have occurred within a few years in New York, Pittsburg, Portland, San Francisco, Charleston, Richmond, Vicksburg, and other cities—what would become of the fire insurance companies that had allowed their risks to accumulate within the limits of a sweeping conflagration in Louisville? All such would certainly not only be entirely ruined, but the insurers, who are annually contributing largely to swell the profits of the shareholders, in years when fires are not prevalent, would obtain nothing, or next to nothing, "when the fire fiend claims its own." This is no fancy picture of what may happen. It is an illustration of what has hap-

pened recently in other cities; and all prudent men are bound to admit that it may happen in Louisville. This would surely be bad enough without breaking the banks in Louisville at the same time.

The object of fire insurance is to guarantee, as far as practicable, that in case the property of the insured is destroyed by fire, the owner will receive the amount of insurance he has paid for.

All experience shows that companies doing only a local fire insurance business in a single city will be ruined, and hopelessly unable to pay their obligations in case that city suffers from a great fire. In illustration, take only the fire corporations now applying for authority to do the combined banking and insurance business; their aggregate available assets, including capital stock, with which to pay losses by fire, was $1,378,204 on the 31st day of December, 1870. The aggregate risks or amount insured at the same time was $16,968,740, and nearly all in the city of Louisville; from which it follows that the amount at risk was more than twelve times the available assets.

Nothing but the temptation offered by the chance of probable large immediate additional profits could induce a banker to incur the hazard of fire insurance. The financial interests of the State and people demand that the banks shall not be allowed to incur this extra and very great hazard. On the other hand, all know that banks have, in times past, broken in this country, and some of them may break in the future, even without having incurred the risks inherent in fire insurance. It is for this reason, and in the interests, first, of the insured, and secondly, in the interests of the insurance companies, that the general insurance law prescribes the character of the securities in which insurance capital and funds, accumulated in the course of insurance business, may be invested.

The real question which the Legislature is now called upon to decide is, not whether these banking and insurance companies of Louisville shall be exempted from compliance with the law, but it is, whether the State will incorporate, in its general financial policy, the principle that banks chartered by this State shall be allowed to do fire insurance business upon banking capital.

Who will venture to say that if this power is, by the Legislature, granted to these five Louisville banks, that similar power will not have to be conferred upon all other banks in the State that ask for it?

It is quite certain that the conservative safe bankers are opposed, on principle, to this union of banking and insurance, as a basis for

general laws. But once grant to these five Louisville banks the power to do fire insurance business, and the sharpness of competition in business will induce other banks to ask for equal privileges, which, in equity, will have to be granted, and the banking interest of the State will have a very dangerous element ingrafted upon it, merely to gratify the desire of these five banking and insurance companies for extra profits and extra hazard; and this will be done not only in violation of the present general insurance law and banking policy of the State of Kentucky, but in opposition to the views of the Insurance Commissioner, and the formal official recommendation of the National Insurance Convention, in which twenty-nine States were represented by their respective executive insurance officers, and in opposition to the opinions and views of the most experienced and able insurance officers, and the safest and best bankers and statesmen in the United States.

For these reasons, and others of similar import, the Insurance Committee of this House have instructed me to report the Senate bill No. 33 back to the House, with unanimous and urgent recommendation that it do not pass.

Mr. E. Polk Johnson moved to print said report, and to postpone the consideration thereof until Thursday next.

And the question being taken thereon, it was decided in the negative.

Pending discussion thereon, the hour of 12 o'clock arrived,

And the House took up for consideration a joint resolution heretofore read and laid on the table, which is as follows, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the present session of the General Assembly be extended and continued beyond the term of sixty days.

On motion of Mr. Chrisman the roll was called, and the following members of this House being present, responded to their names, to-wit:

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Julian N. Phelps, |
| Wm. A. Allen, | James B. Fitzpatrick, | Lewis Potter, |
| A. C. Armstrong, | Manlius T. Flippin, | Hiram S. Powell, |
| A. S. Arnold, | C. D. Foote, | W. L. Reeves, |
| W. W. Ayers, | Joseph P. Foree, | E. A. Robertson, |
| G. W. Bailey, | James Garnett, | John Rowan, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | John P. Rowlett, |
| W. R. Bates, | E. A. Graves, | J. P. Sacksteder, |
| John A. Bell, | C. P. Gray, | J. R. Sanders, |
| S. C. Bell, | Clinton Griffith, | Samuel M. Sanders, |
| J. C. S. Blackburn, | J. P. Hampton, | C. C. Scales, |

| | | |
|---|---|---|
| Church H. Blakey, | George M. Jessee, | Wm. Sellers, |
| W. B. M. Brooks, | E. Polk Johnson, | James W. Snyder, |
| Thomas P. Cardwell, | T. J. Jones, | J. S. Taylor, |
| Robert M. Carlisle, | J. S. Lawson, | C. W. Threlkeld, |
| John S. Carpenter, | G. W. Little, | Harry I. Todd, |
| George Carter, | J. J. McAfee, | L. W. Trafton, |
| James S. Chrisman, | J. A. McCampbell, | Joseph T. Tucker, |
| C. M. Clay, jr., | Bryan S. McClure, | T. W. Varnon, |
| J. Guthrie Coke, | Wm. J. McElroy, | T. J. Walker, |
| Josiah H. Combs, | M. E. McKenzie, | J. L. Waring, |
| Wm. G. Conrad, | T. J. Megibben, | C. H. Webb, |
| R. D. Cook, | J. C. Moorman, | J. M. White, |
| R. L. Cooper, | Wm. Mynhier, | Jonas D. Wilson, |
| J. E. Cosson, | J. L. Nall, | J. N. Woods, |
| John W. Dyer, | John W. Ogilvie, | S. H. Woolfolk—79. |
| Walter Evans, | | |

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | Hiram S. Powell, |
| Wm. A. Allen, | C. D. Foote, | W. L. Reeves, |
| A. C. Armstrong, | Joseph P. Foree, | E. A. Robertson, |
| A. S. Arnold, | James Garnett, | John Rowan, |
| W. W. Ayers, | Wm. Cassius Goodloe, | John P. Rowlett, |
| G. W. Bailey, | E. A. Graves, | J. P. Sacksteder, |
| R. Tarv. Baker, | C. P. Gray, | J. R. Sanders, |
| W. R. Bates, | Clinton Griffith, | Samuel M. Sanders, |
| John A. Bell, | George M. Jessee, | C. C. Scales, |
| S. C. Bell, | E. Polk Johnson, | Wm. Sellers, |
| J. C. S. Blackburn, | T. J. Jones, | James W. Snyder, |
| W. B. M. Brooks, | J. S. Lawson, | J. S. Taylor, |
| Robert M. Carlisle, | J. J. McAfee, | C. W. Threlkeld, |
| John S. Carpenter, | J. A. McCampbell, | Harry I. Todd, |
| George Carter, | William J. McElroy, | L. W. Trafton, |
| James S. Chrisman, | M. E. McKenzie, | Joseph T. Tucker, |
| C. M. Clay, jr., | T. J. Megibben, | T. W. Varnon, |
| Josiah H. Combs, | J. C. Moorman, | T. J. Walker, |
| William G. Conrad, | Wm. Mynhier, | J. L. Waring, |
| R. D. Cook, | J. L. Nall, | J. M. White, |
| R. L. Cooper, | John W. Ogilvie, | Jonas D. Wilson, |
| J. E. Cosson, | Julian N. Phelps, | J. N. Woods, |
| John W. Dyer, | Lewis Potter, | S. H. Woolfolk—70. |
| W. H. Evans, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Church H. Blakey, | Walter Evans, | G. W. Little, |
| Thomas P. Cardwell, | Manlius T. Flippin, | Bryan S. McClure, |
| J. Guthrie Coke, | J. P. Hampton, | C. H. Webb—9. |

And so said resolution was adopted.

The Speaker laid before the House a dispatch announcing the death of Hon. T. S. Fish, late a member of this House from the county of Boone, which was referred to a committee consisting of Messrs. McAfee, Scales, Foote, and Ayers.

And thereupon Mr. Scales, from said committee, reported the following preamble and joint resolutions, viz:

WHEREAS, It has been made known to this General Assembly that the Hon. T. S. Fish, a member of the House of Representatives from the county of Boone, departed this life upon Saturday, the 27th inst., in the pride of his manhood and usefulness; and out of respect to his memory and many virtues, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That it is with unfeigned regret and sorrow that we, the members of this General Assembly, have heard of the death of the Hon. T. S. Fish, an event that carries sorrow to his many friends, and deprives the State of a useful and honorable public servant.

2. *Resolved*, That the family of the deceased are tendered the deepest sympathy of the members of this General Assembly in this their great bereavement.

3. *Resolved*, That as a further mark of respect to the memory of the deceased, we will wear the usual badge of mourning for the period of thirty days.

4. *Resolved*, That these resolutions be spread upon the Journal, and that a copy of the same be forwarded to his family by the Speaker of the House of Representatives, and that we do now adjourn.

The rule being suspended, the said preamble and resolutions were taken up, twice read, and unanimously adopted.

And then the House adjourned.

## TUESDAY, JANUARY 30, 1872.

Mr. Armstrong presented the petition of sundry citizens of Bracken, Harrison, and Robertson counties, praying the passage of an act to allow the building of a dam across the Licking river eighteen inches high.

Which was received, read, and referred to the Committee on Internal Improvement.

On motion of Mr. Wright, it was ordered to be entered on the Journal of the House, that, had he been present at the time of the consideration of a bill from the Senate, entitled

An act to amend the laws of evidence in this Commonwealth,

He would have voted in the affirmative on the question of its passage.

On motion, leave of absence, indefinitely, is granted to Messrs. J. A. Bell, J. D. Wilson, and E. Polk Johnson.

A message was received from the Senate, announcing that they had concurred in the adoption of joint resolutions, which originated in the House of Representatives, of the following titles, viz:

Resolution providing for an extension of the present session of the General Assembly.

Resolutions on the death of Hon. T. S. Fish.

That they had concurred in the amendment proposed by the House of Representatives, to a bill which originated in the Senate, entitled

An act to amend the laws of evidence in this Commonwealth.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit and punish certain trespasses in Muhlenburg county.

An act enabling H. B. Elrod and Jane Elrod to adopt John W. Elrod as their heir at law.

An act to incorporate the Workman's Publishing Company, of the city of Louisville.

An act to incorporate the German Roman Catholic St. Andrew's Benevolent Society, of Louisville.

An act to incorporate Independent Order of Odd Fellows, No. 83, Hickman, Fulton county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz :

An act to declare Morgan's creek, in Lawrence county, a navigable stream.

An act to amend the charter of the Owensboro Savings Bank.

An act to amend the charter of the Louisville and Nashville Railroad Company.

An act to legalize certain acts of Jas. W. Staton, late road commissioner of Bracken county, for the years 1868-'9-'70.

An act to amend the town charter of Lebanon.

An act to repeal an act, entitled "An act for the benefit of D. C. Smith, of Barren county," approved January 30, 1866.

An act to provide for appointing an assistant county attorney for the county of Kenton.

An act to amend the charter of the Second German Protestant Benevolent Society, of Louisville.

An act to incorporate the town of Martinsburg, in Elliott county.

An act to amend the charter of the city of Paris.

An act to amend an act revising the charter of the city of Paducah, Kentucky, approved February 11th, 1871.

An act revising the charter of the town of New Liberty, in Owen county.

An act to authorize the town of Falmouth to subscribe for turnpike stock.

An act to amend and reduce into one all the acts in regard to the town of Columbia.

An act to amend the charter of South Carrollton.

An act to amend the law with regard to crimes and punishments.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz :

1. An act to amend the charter of the town of Bowling Green.

2. An act to incorporate the Bank of Owen.

3. An act for the benefit of the Farmers' Mutual Insurance Company.

4. An act for the benefit of Thomas A. Ireland, clerk of the Owen county court.

5. An act to incorporate the Eagle Creek, Dallasburg, and Bethel Turnpike Road Company.

6. An act to exempt footmen from bridge toll.

7. An act to amend the charter of the Shelby Railroad Company.

8. An act amending article 5, chapter 2, title 9, of the Civil Code of Practice.

9. An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the court-house in Edmonton.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Corporate Institutions; the 2d to the Committee on Banks; the 3d to the Committee on Insurance; the 4th to the Committee on Ways and Means; the 5th and 6th to the Committee on Internal Improvement; the 7th to the Committee on Railroads; the 8th to the Committee on Codes of Practice; and the 9th to the Committee on Religion.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the laws of evidence in this Commonwealth;

An act to declare Hood's Fork of Blain's creek a navigable stream;

An act to amend an act, entitled "An act to provide for the payment of the State debt;".

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. Beckham, from the Committee on the Court of Appeals, moved that the committee be discharged from the further consideration of the leave to bring in a bill to repeal the 3d section of an act, entitled "An act concerning the Court of Appeals," approved January 30th, 1871, and to regulate the salaries of the Judges of the Court of Appeals.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Sanders, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | W. L. Reeves, |
| George W. Anderson, | John W. Dyer, | E. A. Robertson, |
| A. C. Armstrong, | Walter Evans, | John P. Rowlett, |
| A. S. Arnold, | C. D. Foote, | J. P. Sacksteder, |

| | | |
|---|---|---|
| W. W. Ayers, | Joseph P. Foree, | C. C. Scales, |
| R. Tarv. Baker, | E. A. Graves, | James W. Snyder, |
| W. N. Beckham, | Clinton Griffith, | C. W. Threlkeld, |
| Wm. F. Bond, | Wm. A Hoskins, | Harry I. Todd, |
| W. B. M. Brooks, | George M. Jessee, | L. W. Trafton, |
| Thomas P. Cardwell, | E. Polk Johnson, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. S. Lawson, | T. W. Varnon, |
| C. M. Clay, jr., | J. J. McAfee, | E. F. Waide, |
| J. Guthrie Coke, | M. E. McKenzie, | J. L. Waring, |
| R. D. Cook, | T. J. Megibben, | Mordecai Williams, |
| R. L. Cooper, | Wm. Mynhier, | S. H. Woolfolk, |
| Joseph M. Davidson, | Lewis Potter, | J. M. Wright—48. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Manlius T. Flippin, | Julian N. Phelps, |
| G. W. Bailey, | James Garnett, | Hiram S. Powell, |
| W. R. Bates, | C. P. Gray, | John Rowan, |
| S. C. Bell, | J. P. Hampton, | J. R. Sanders, |
| Church H. Blakey, | T. M. Johnson, | Samuel M. Sanders, |
| George Carter, | G. W. Little, | William Sellers, |
| James S. Chrisman, | J. A. McCampbell, | J. S. Taylor, |
| Josiah H. Combs, | Bryan S. McClure, | T. J. Walker, |
| Wm. G. Conrad, | Wm. J. McElroy, | C. H. Webb, |
| Thomas H. Corbett, | J. C. Moorman, | J. M. White, |
| J. E. Cosson, | J. L. Nall, | J. N. Woods—35. |
| W. H. Evans, | John W. Ogilvie, | |

And so the committee was discharged from the further consideration of said bill.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Trafton, from the Committee on County Courts—

An act to authorize the Cumberland county court to levy an additional poll and ad valorem tax for county purposes.

By same—

An act to legalize the action of the Cumberland county court in the sale of the old jail in said county.

By same—

An act to authorize the county court of Green to issue bonds and levy a tax for certain purposes.

By same—

An act regulating the time of holding the quarterly courts in Nicholas county.

By same—

An act to create the office of auditor for Warren county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Foote, from the Committee on Banks—

A bill to incorporate the Christian County Bank.

By Mr. White, from the Committee on the Library—

A bill to amend the charter of the Lexington Library.

By Mr. Beckham, from the Committee on the Court of Appeals—

A bill to amend section 37, chapter 1, Civil Code of Practice.

By Mr. Baker, from the Committee on Circuit Courts—

A bill to amend the charter of the Newport and Dayton Turnpike Company.

By same—

A bill to amend the charter of the Old State Road and Ripple Creek Turnpike Road Company.

By same—

A bill to regulate the mode of executing process issued by the clerk of the Campbell circuit court, and docketing cases in said court.

By same—

A bill for the benefit of Anderson C. Butler, of Breathitt county.

By same—

A bill for the benefit of Wilson Morgan, sheriff of Clay county.

By Mr. Trafton, from the Committee on County Courts—

A bill to legalize certain orders of the Mercer county court.

By same—

A bill authorizing the indexing of the order-books of the Mercer county court.

By same—

A bill to amend an act, entitled "An act to authorize the Henderson county court to raise money by an ad valorem tax and issuing bonds," approved February 27th, 1867.

By same—

A bill for the benefit of district No. 3, in McLean county.

By same—

A bill concerning the county levy and taxation in Livingston county.

By Mr. Foote, from the same committee—

A bill to regulate and establish the rate of tolls on the Covington and Cincinnati bridge.

By same—

A bill to regulate the running of ferries and ferry rates in the city of Covington.

By same—

A bill to amend the charter of the Dry Creek and Covington Turnpike Company.

By same—

A bill to amend the charter of the town of Harrodsburg.

By same—

A bill for the benefit of Mason Morris, late sheriff of Edmonson county.

By same—

A bill authorizing and empowering the county court of levies and disbursements of Rockcastle county to levy an additional capitation and ad valorem tax for the purpose of building a new court-house, clerks' offices, &c., for said county.

By same—

A bill to establish an additional justices' district in Trigg county.

By Mr. Mynhier, from the same committee—

A bill to amend an act, entitled "An act to authorize the Elliott county court to levy an additional tax for county purposes," approved March 8, 1870.

By same—

A bill for the benefit of William Lykens, late judge of the Morgan county and quarterly courts.

By same—

A bill to change the time of holding the county and quarterly courts of Letcher county.

By same—

A bill to change the time of holding the county and quarterly courts of Perry county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Proceeding to the orders of the day, the House took up for consideration the motion heretofore made to reconsider the vote by which, on a former day, this House passed a bill, entitled

A bill to amend section 4, article 1, chapter 99, of the Revised Statutes.

Mr. Sellers moved to lay the motion to reconsider on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davidson and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Julian N. Phelps, |
| Wm. A. Allen, | John W. Dyer, | Lewis Potter, |
| George W. Anderson, | Walter Evans, | Hiram S. Powell, |
| A. C. Armstrong, | W. H. Evans, | W. L. Reeves, |
| A. S. Arnold, | James B. Fitzpatrick, | John Rowan, |
| W. W. Ayers, | Manlius T. Flippin, | John P. Rowlett, |
| G. W. Bailey, | C. D. Foote, | J. P. Sacksteder, |
| R. Tarv. Baker, | Joseph P. Foree, | J. R. Sanders, |
| W. R. Bates, | E. A. Graves, | C. C. Scales, |
| S. C. Bell, | C. P. Gray, | Wm. Sellers, |
| Church H. Blakey, | Clinton Griffith, | James W. Snyder, |
| Wm. F. Bond, | J. P. Hampton, | Harry I. Todd, |
| W. B. M. Brooks, | Wm. A. Hoskins, | L. W. Trafton, |
| Thomas P. Cardwell, | George M. Jessee, | Joseph T. Tucker, |
| Robert M. Carlisle, | E. Polk Johnson, | T. W. Varnon, |
| James S. Chrisman, | J. S. Lawson, | E. F. Waide, |
| C. M. Clay, jr., | G. W. Little, | T. J. Walker, |
| J. Guthrie Coke, | J. A. McCampbell, | J. L. Waring, |
| Josiah H. Combs, | M. E. McKenzie, | J. M. White, |
| Wm. G. Conrad, | J. C. Moorman, | J. N. Woods, |
| R. D. Cook, | J. L. Nall, | S. H. Woolfolk, |
| R. L. Cooper, | John W. Ogilvie, | J. M. Wright—67. |
| Thomas H. Corbett, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Joseph M. Davidson, | Bryan S. McClure, | Samuel M. Sanders, |
| W. W. Deaderick, | W. J. McElroy, | J. S. Taylor, |
| James Garnett, | T. J. Megibben, | Mordecai Williams, |
| Thos. M. Johnson, | Wm. Mynhier, | C. W. Threlkeld—14. |
| J. J. McAfee, | E. A. Robertson, | |

And so the motion to reconsider said vote was laid on the table, and the Clerk is directed to report said bill to the Senate.

The House then took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend the charter of the Western Insurance and Banking Company.

Said amendment was concurred in.

The House then took up for further consideration a bill from the Senate, entitled

An act to amend the charter of the Kentucky and Great Eastern Railway Company,

Together with the amendments proposed thereto.

Mr. Scales offered a substitute for said bill and amendments.

Mr. Graves then offered an amendment to the substitute of Mr. Scales.

*Ordered*, That the bill, proposed amendments, and substitute be printed, and that the consideration thereof be postponed to, and made the special order of the day for, Tuesday next (5th February), at 11 o'clock, A. M.

And then the House adjourned.

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## WEDNESDAY, JANUARY 31, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Bates—

1. The petition of members of the bar of Glasgow, praying the passage of an act to establish a court of common pleas for the county of Barren.

By Mr. Hoskins—

2. The petition of certain citizens of Boyle county, praying the passage of an act establishing an additional voting place in said county.

By Mr. Gray—

3. The petition of sundry citizens of Albany, Clinton county, asking the passage of an act to prohibit the sale of ardent spirits, ale, or beer, within the limits of said town, or in one mile thereof.

By Mr. McClure—

4. The petition of the clerk of Russell circuit court, praying that clerks may be compensated for services in criminal cases.

By Mr. Cook—

5. The remonstrance of certain citizens of Rockcastle county, against the passage of an act to repeal an act declaring a portion of Round Stone creek a navigable stream.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Revised Statutes; the 2d to the Committee on County Courts; the 3d to the Committee on Religion; the 4th to the Committee on the Judiciary; and the 5th to the Committee on Propositions and Grievances.

Mr. Ogilvie read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the sum of five hundred dollars be, and is hereby, appropriated, for the purpose of purchasing suitable educational, moral, historical, and religious books for the use of the convicts confined in the Kentucky Penitentiary, for which sum the Auditor of Public Accounts will issue his order on the Treasurer, payable to the chaplain of the prison (J. K. P. South), S. C. Bull, T. J. Dodd, and H. B. Lyon, who are hereby charged with the duty of selecting and purchasing such suitable books as aforesaid, a list of which, with the cost thereof, they will report to the Auditor. The books so purchased shall be used by the prisoners under the supervision and direction of the chaplain.

On motion of Mr. Ogilvie, the rule was suspended, said resolution taken up, and referred to the Committee on the Penitentiary.

On motion, leave of absence, indefinitely, is granted to Messrs. W. Evans, White, Bailey, and S. M. Sanders.

Mr. Ayers moved to reconsider the vote by which this House, on yesterday, discharged the Committee on the Court of Appeals from the further consideration of

A bill to repeal the 3d section of an act, entitled "An act concerning the Court of Appeals," approved January 30th, 1871.

Mr. Davidson moved to lay the motion of Mr. Ayers on the table.

The question was then taken on the motion of Mr. Davidson, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. Guthrie Coke, | E. A. Robertson, |
| George W. Anderson, | Josiah H. Combs, | J. P. Sacksteder, |
| A. C. Armstrong, | Wm. G. Conrad, | J. R. Sanders, |
| A. S. Arnold, | R. L. Cooper, | C. C. Scales, |
| Alpheus W. Bascom, | Joseph M. Davidson, | James W. Snyder, |
| W. N. Beckham, | W. W. Deaderick, | Wm. Tarlton, |
| J. C. S. Blackburn, | Walter Evans, | Harry I. Todd, |
| Wm. F. Bond, | James B. Fitzpatrick, | L. W. Trafton, |
| W. B. M. Brooks, | C. D. Foote, | Joseph T. Tucker, |
| Thomas P. Cardwell, | Joseph P. Foree, | E. F. Waide, |
| Robert M. Carlisle, | Wm. A. Hoskins, | Mordecai Williams, |
| B. E. Cassily, | T. J. Jones, | S. H. Woolfolk, |
| C. M. Clay, jr., | J. J. McAfee, | J. M. Wright—39. |

Those who voted in the negative were—

| | | |
|---|---|---|
| Wm. A. Allen, | James Garnett, | Wm. Mynhier, |
| W. W. Ayers, | Wm. Cassius Goodloe, | J. L. Nall, |
| G. W. Bailey, | E. A. Graves, | John W. Ogilvie, |
| W. R. Bates, | C. P. Gray, | Julian N. Phelps, |
| S. C. Bell, | J. P. Hampton, | Lewis Potter, |
| Church H. Blakey, | Thos. M. Johnson, | Hiram S. Powell, |
| George Carter, | J. S. Lawson, | John Rowan, |
| James S. Chrisman, | G. W. Little, | Samuel M. Sanders, |
| R. D. Cook, | J. A. McCampbell, | William Sellers, |
| Thomas H. Corbett, | Bryan S. McClure, | J. S. Taylor, |
| J. E. Cosson, | Wm. J. McElroy, | T. J. Walker, |
| W. H. Evans, | M. E. McKenzie, | C. H. Webb, |
| Manlius T. Flippin, | J. C. Moorman, | J. N. Woods—39. |

The question was then taken on the motion of Mr. Ayers to reconsider said vote, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James Garnett, | Wm. Mynhier, |
| A. C. Armstrong, | Wm. Cassius Goodloe, | J. L. Nall, |
| W. W. Ayers, | E. A. Graves, | John W. Ogilvie, |
| G. W. Bailey, | C. P. Gray, | Julian N. Phelps, |
| W. R. Bates, | J. P. Hampton, | Lewis Potter, |
| S. C. Bell, | T. M. Johnson, | Hiram S. Powell, |
| Church H. Blakey, | T. J. Jones, | John Rowan, |
| George Carter, | J. S. Lawson, | Samuel M. Sanders, |
| James S. Chrisman, | G. W. Little, | Wm. Sellers, |
| R. D. Cook, | J. A. McCampbell, | James W. Snyder, |
| Thomas H. Corbett, | Bryan S. McClure, | J. S. Taylor, |
| J. E. Cosson, | Wm. J. McElroy, | T. J. Walker, |

| | | |
|---|---|---|
| W. H. Evans, | M. E. McKenzie, | C. H. Webb, |
| Manlius T. Flippin, | J. C. Moorman, | J. N. Woods—42. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Josiah H. Combs, | E. A. Robertson, |
| George W. Anderson, | Wm. G. Conrad, | J. P. Sacksteder, |
| A. S. Arnold, | R. L. Cooper, | C. C. Scales, |
| Alpheus W. Bascom, | Joseph M. Davidson, | Wm. Tarlton, |
| W. N. Beckham, | W. W. Deaderick, | C. W. Threlkeld, |
| J. C. S. Blackburn, | John W. Dyer, | Harry I. Todd, |
| Wm. F. Bond, | Walter Evans, | L. W. Trafton, |
| W. B. M. Brooks, | James B. Fitzpatrick, | Joseph T. Tucker, |
| Thomas P. Cardwell, | C. D. Foote, | E. F. Waide, |
| Robert M. Carlisle, | Joseph P. Foree, | Mordecai Williams, |
| B. E. Cassilly, | Wm. A. Hoskins, | S. H. Woolfolk, |
| C. M. Clay, jr., | J. J. McAfee, | J. M. Wright—37. |
| J. Guthrie Coke, | | |

And so the House decided to reconsider said vote.

The select committees, who were directed to prepare and bring in the same, reported bills of the following titles, to-wit:

By Mr. Corbett—

A bill to amend an act re-establishing the court of common pleas in Hickman county, in the first judicial district.

By Mr. Carlisle—

A bill to incorporate Adams Lodge, No. 188, Independent Order of Odd Fellows, of the State of Kentucky.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had concurred in resolutions, which originated in the House of Representatives, of the following titles, to-wit:

Resolution providing for an examination of the charitable institutions of the State.

Resolutions in relation to distilleries and the tax thereon.

With amendments to each.

That they had concurred in the amendment proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, to-wit :

An act to incorporate the Western German Savings Bank, of Louisville.

An act authorizing the presiding judge of Nicholas county to make further subscriptions to unfinished turnpike roads in said county.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the city of Hopkinsville.

An act for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

An act to incorporate East Cedar Hill Institute, in Jefferson county.

An act to incorporate the Richmond Benevolent Society of Colored Persons.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz :

An act to repeal an act, entitled "An act to amend the charter of the town of Lancaster," approved March 11, 1870.

An act for the benefit of the executors of James P. Mitchell, deceased.

An act for the benefit of all persons owning lands binding on that part of Mann's Lick road, alias Saratoga street, alias Pope street, between Broadway, in the city of Louisville, and its intersection with Rothwell street.

An act for the benefit of John Goodin, commissioner of common schools for Josh Bell county.

An act for the benefit of White Sulphur school district, in Scott county.

An act to organize and establish a system of public schools in the town of Madisonville, in the county of Hopkins.

An act to legalize the action of the Commissioners of the Sinking Fund of Marion county in relation to sale of Louisville and Nashville Railroad stock, and other matters pertaining thereto.

An act to amend an act, entitled " An act to incorporate the town of Frenchburg, in Menifee county."

An act creating a lien on property for the erection of gas lamp-posts in the city of Paducah.

An act to amend an act, entitled "An act to incorporate the town of Sonora, in Hardin county."

An act for the benefit of St. Joseph's Industrial School for Boys, in the city of Louisville.

An act for the benefit of Lark Howard, of Magoffin county.

An act to amend an act, entitled "An act to incorporate the town of Pewee Valley, in Oldham county."

An act to extend the corporate limits of the town of Paradise, in Muhlenburg county.

An act to incorporate the White Oak Turnpike Road Company, in Butler county.

A act to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company.

An act to provide for the improvement of the public roads in Butler county.

An act to charter the Ludlow and Florence Turnpike Road.

An act to amend an act, entitled "An act to amend the charter of the Covington and Lexington Turnpike Road Company."

An act to amend the charter of the Independence and Big Bone Turnpike Road Company.

An act incorporating the Beech Fork and Simpson's Creek Turnpike Road Company.

An act regulating the taking of bail bonds.

An act for the benefit of James M. Greenwade, late sheriff of Menifee county.

An act to incorporate the town of Boston Station, in Pendleton county.

An act to amend an act, entitled "An act to incorporate the town of Earlington."

An act to incorporate the town of Fulton, in Fulton county.

With amendments to the last five named bills.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Bank of Uniontown.

2. An act to incorporate the Deposit Bank of Carrollton.

3. An act for the benefit of the county of Nelson.

4. An act to provide for defining and marking the line between the counties of Christian and Caldwell.

5. An act amending section 13, chapter 30, of the Revised Statutes, title "Descent and Distribution."

6. An act to amend the charter of the town of Bardstown, in the county of Nelson.

7. An act to amend an act, entitled "An act to incorporate the Stove, Grate, and Mantle Manufacturing Company," approved March 5, 1869.

8. An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st and 2d to the Committee on Banks; the 3d to the Committee on Ways and Means; the 4th to the Committee on County Courts; the 5th to the Committee on the Revised Statutes; the 6th and 7th to the Committee on Corporate Institutions; and the 8th to the Committee on Religion.

The House, according to order, took up for further consideration a bill, entitled

A bill to repeal an act, entitled "An act to amend chapter 53 of the Revised Statutes, title 'Interest and Usury,'" approved March 14, 1871.

Mr. Graves offered an amendment to said bill.

Mr. Wright offered a substitute for said bill and amendment.

*Ordered*, That the further consideration of said bill and amendments be postponed to, and made the special order of the day for, to-morrow, at 12 o'clock, M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Brooks—

1. A bill to amend the charter of the Blue Lick Turnpike Road Company, approved February 22d, 1871.

On motion of same—

2. A bill to incorporate Salt River College.

On motion of Mr. Phelps—

3. A bill to incorporate J. M. S. McCorkle Lodge, No. 355, A. Y. F. M., at Brownsville.

On motion of same—

4. A bill to incorporate the Green River and Bear Creek Navigation and Mining Company.

On motion of Mr. Ayers—

5. A bill for the benefit of the common schools of this Commonwealth.

On motion of Mr. Bates—

6. A bill to establish a court of common pleas in Barren county.

On motion of Mr. J. R. Sanders—

7. A bill to amend the charter of the Carrollton and Eagle Creek Turnpike Road Company.

On motion of same—

8. A bill to amend the law in regard to trespasses committed by stock on premises not inclosed by a lawful fence, in Carroll and Trimble counties.

On motion of Mr. Walter Evans—

9. A bill to subject stock in banks to taxation for county and municipal purposes.

On motion of same—

10. A bill to provide a system of public schools for Hopkinsville.

On motion of Mr. Conrad—

11. A bill for the benefit of John B. Greenwell, of Owen county.

On motion of Mr. Sellers—

12. A bill to re-enact so much of section 1, article 10, chapter 38, of the Revised Statutes, as relates to fees of jailers, &c.

On motion of Mr. Snyder—

13. A bill authorizing the trustees of Hancock County Seminary to sell a certain lot of land.

On motion of same—

14. A bill to amend an act incorporating the Hawesville Cemetery Company.

On motion of Mr. Todd—

15. A bill for the benefit of the common school districts in Franklin county.

On motion of Mr. Combs—

16. A bill to regulate the time of holding the circuit courts in Perry, Breathitt, and Clay counties.

On motion of Mr. Arnold—

17. A bill to amend the law in regard to holding the common pleas court in Hickman county.

On motion of Mr. Scales—

18. A bill to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company.

On motion of Mr. W. H. Evans—

19. A bill for the benefit of J. F. King, sheriff of Knox county.

On motion of Mr. Cassilly—

20. A bill to incorporate the St. Louis Cemetery, near Louisville.

On motion of Mr. Ogilvie—

21. A bill for the benefit of John H. Terrill, of McCracken county.

On motion of Mr. Flippin—

22. A bill to further amend article 5, chapter 99, of the Revised Statutes.

On motion of Mr. Beckham—

23. A bill to define and regulate the rights of creditors and beneficiaries as to recoveries on life insurance in certain cases.

On motion of Mr. Tarlton—

24. A bill to amend the charter of the Henry, Oldham, and Jefferson Turnpike Road Company, &c.

On motion of same—

25. A bill detaching sundry citizens of Henry county and adding them to the county of Oldham.

On motion of same—

26. A bill to amend the charter of the Beard's Station, Floydsburg, and Aiken Turnpike Road Company, &c.

On motion of Mr. Threlkeld—

27. A bill to incorporate the Good Templars' Joint Stock Company in the town of Monterey.

On motion of Mr. Little—

28. A bill for the benefit of John W. Siler and W. C. Rose.

On motion of same—

29. A bill for the benefit of the trustees of the town of Boston, in Whitley county.

On motion of Mr. Foote—

30. A bill to amend the charter of the city of Covington.

On motion of Mr. Anderson—

31. A bill to incorporate the Mercantile Bank of Louisville.

On motion of Mr. McClure—

32. A bill to incorporate the Liberty and Green River Turnpike Road Company, in Casey county.

*Ordered*, That the Committee on Corporate Institutions prepare and bring in the 1st, 3d, 13th, 14th, and 20th; the Committee on Internal Improvement the 4th, 7th, 18th, and 32d; the Committee on Education the 5th, 10th, and 15th; the Committee on the Revised Statutes the 6th, 12th, and 22d; the Committee on Banks the 9th and 31st; the Committee on Claims the 11th; the

Committee on County Courts the 19th, 21st, 28th, 29th, and 30th; the Committee on Insurance the 23d; the Committee on Propositions and Grievances the 24th and 26th; the Committee on Religion the 27th; a select committee, consisting of Messrs. Bond, Beckham, Brooks, Foree, Baker, Jessee, E. Polk Johnson, Goodloe, Varnon, Sellers, Sanders, Phelps, Evans, Griffith, and Corbett, the 2d; a select committee, consisting of Messrs. S. M. Sanders, Jessee, and Foote, the 8th; a select committee, consisting of Messrs. Cook, W. H. Evans, and Hampton, the 16th; a select committee, consisting of Messrs. Corbett, Ogilvie, and Arnold, the 17th; and a select committee, consisting of Messrs. Waide, Woolfolk, and Ferguson, the 25th.

And then the House adjourned.

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## THURSDAY, FEBRUARY 1, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Maysville and Lexington Railroad Company, Northern Division.

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, or gravel roads.

An act to amend section 6, article 6, chapter 32, title "Elections," of the Revised Statutes.

An act to amend an act, approved February 10, 1866, entitled "An act to exempt homesteads from sale for debt."

An act to amend section 4, of article 2, of chapter 83, of the Revised Statutes, regulating tax on theatrical performances.

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

An act for the benefit of Isabella Oxley, of Rowan county.

An act authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads situated in said county.

An act to regulate the sale of spirituous and vinous liquors in Uniontown and Caseyville.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, railroad, and insurance companies," approved March 15, 1871.

An act authorizing the clerk of the Nelson county court to make a cross-index to deeds in his office, and transcribe the marriage register in said office.

An act to amend an act, entitled "An act to establish a colored school in the city of Henderson."

An act to authorize the Auditor of Public Accounts to audit and settle claims of sheriffs of this Commonwealth for conveying convicts to the penitentiary of this State.

An act to incorporate the Louisville Car Wheel and Railway Supply Company.

An act to amend the charter of the Bowling Green Water-works Company.

An act to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company."

An act to amend the charter of the town of Mayfield.

An act to amend the charter of the town of Carlisle, in Nicholas county.

An act to amend section 5, article 2, chapter 83, Revised Statutes, title "Revenue and Taxation."

An act for the benefit of the Mulberry and Consolation Turnpike Road Company, in the county of Shelby.

An act for the benefit of the common school districts in Cumberland county.

An act in relation to the Bardstown and Green River Turnpike Road Company.

An act amending section 1 of an act, approved February 27th, 1860, entitled "An act to incorporate the Eminence Cemetery Company."

An act to amend an act, entitled "An act to provide for the payment of the State debt."

An act to declare Hood's Fork, of Blain's creek, a navigable stream.

An act to amend the laws of evidence in this Commonwealth.

That they had concurred in the amendments proposed by the House of Representatives, to bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Bank of Kentucky.

An act to incorporate the Bank of Commerce, of Louisville.

The title of the latter is so changed as to read—

An act to incorporate the Market Street Bank, of Louisville.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the common school commissioner of Breckinridge county.

An act to charter the town of Kuttawa, in Lyon county.

An act to amend an act to incorporate the town of Smith Grove, in Warren county.

An act to amend the charter of the town of Greenupsburg.

An act to amend an act, entitled "An act to incorporate the town of Rich Pond, in Warren county."

An act to repeal chapter 1107 of the acts of 1871.

An act to repeal chapter 1108 of the acts of 1871.

An act to repeal chapter 1175 of the acts of 1871.

An act to amend the charter of the city of Augusta, in Bracken county.

An act to incorporate the town of Jackson.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act to repeal an act concerning public books, and providing for the supply of destitute counties.

2. An act for the benefit of Harrison Berry, of Nicholas county.

3. An act for the benefit of Wm. A. Byram, sheriff of Nicholas county.

4. An act for the benefit of school district No. 26, in Nicholas county.

5. An act to regulate the time of holding circuit courts in the 14th judicial district.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 5th to the Committee on Circuit Courts; the 2d to the Committee on Ways and Means; the 3d to the Committee on County Courts; and the 4th to the Committee on Circuit Courts.

On motion, leave of absence, indefinitely, was granted to Mr. Blakey.

Mr. Graves presented the petition of certain citizens of Marion county, praying the passage of a certain act, therein set out, with regard to the sale of intoxicating liquors.

Which was received, its reading dispensed with, and referred to the Committee on Religion.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the county court of Meade county to make a levy and pay debts already contracted by said court.

An act to amend the charter of the Harrison County Agricultural Society.

An act to change the time of holding the quarterly courts in Ballard county.

An act for the benefit of Crittenden county.

An act to authorize the Hancock county court to increase the county levy.

An act for the benefit of Warren county.

An act to amend the charter of the town of Winchester.

An act to enable the county of Madison to subscribe to, and provide means for, an institution of learning in Richmond.

An act to amend an act, entitled "An act revising the charter of the city of Paducah."

An act to prevent the destruction of fish by fish-nets in Cumberland river, within the limits of Trigg county.

An act for the benefit of Thomas Hunt, of Pike county.

An act to amend the charter of the Bank of America, of the city of Louisville.

An act to amend an act for the benefit of the police judge of the town of Hawesville, Hancock county, approved February 10, 1871.

An act for the benefit of Munroe T. Shellburn, of Ballard county.

An act to authorize the trustees of Louisa to lease portions of the public grade belonging to said town.

An act for the benefit of James D. Hatchett, of Henderson county.

An act to regulate further the drawing of standing jurors for the Jefferson circuit court.

An act to change the boundary line of the city of Columbus.

An act to amend the charter of the Owensboro and Russellville Railroad.

An act to authorize the Graves county court to sell the old clerks' offices.

An act to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868.

An act authorizing the sale of lands belonging to Saint Teresa's Catholic Church, in Meade county.

An act to amend section 2, article 13, chapter 36, of the Revised Statutes.

An act for the benefit of the Pine Knob Turnpike Company.

An act to amend an act for the benefit of Boone county, approved January 30, 1871.

An act to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

An act to protect fish in Drake's creek, in Simpson county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, malt, or vinous liquors in the town of Campbellsville," approved March 21, 1871.

An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county.

The Speaker laid before the House the following communication from the Superintendent of Public Instruction, to-wit:

FRANKFORT, February 1, 1872.

HON. JAMES B. MCCREARY *and the Honorable Members of the House of Representatives:*

I would respectfully represent, that, upon the reports of school commissioners, warrants, countersigned by me, to pay for schools taught out, and half sessions, on the 10th day of January, 1872, have accumulated to the amount of nearly one hundred thousand dollars. On account of the taxes for common school purposes not having been paid in, there is no money in the Treasury to liquidate these claims.

An unprecedented number of the schools have been in session during the first half of the school year, making an extraordinary draft upon the Treasury.

Teachers are clamorous for their pay, and commissioners are besieging this office with impatient letters.

I would recommend that you refer this matter to a special committee, with instructions to ascertain and report as early as practicable the method of affording immediate liquidation of these hard-earned and much-needed claims.

Very respectfully,

H. A. M. HENDERSON,

*Superintendent Public Instruction.*

*Ordered*, That the same be referred to the Committee on Ways and Means.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Foote, from the Committee on County Courts—

An act to change the boundary line of Carroll aad Gallatin counties.

By Mr. Garnett, from the Committee on the Judiciary—

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Foote, from the Committee on County Courts, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to amend the charter of the city of Covington.

A bill to change the time of holding the McCracken county court of claims.

A bill for the benefit of V. M. Deweese, of Butler county.

A bill to amend the charter of the Elizabethtowu and Paducah Railroad Company.

A bill to authorize the county judge of Lincoln county to sell and convey the poor-house property in said county, and reinvest the proceeds.

A bill for the benefit of Greenup county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, asking leave to withdraw from this House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

Which was granted, and said bill returned to Senate.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Market Street Bank, of Louisville;

An act authorizing the presiding judge of Nicholas county to make further subscriptions to unfinished turnpike roads in said county;

An act to incorporate the Western German Savings Bank, of Louisville;

An act to amend the charter of the Bank of Kentucky;

And also enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

Resolution providing for an extension of the present session of the General Assembly;

Resolutions on the death of Hon. T. S. Fish;

An act to declare Morgan's creek, in Lawrence county, a navigable stream;

An act to amend the charter of the Western Insurance and Banking Company;

An act to amend the charter of the Owensboro Savings Bank;

An act to amend the charter of the Louisville and Nashville Railroad Company;

An act to legalize certain acts of Jas. W. Staton, late road commissioner of Bracken county, for the years 1868-'9-'70;

An act to repeal an act, entitled "An act for the benefit of D. C. Smith, of Barren county," approved January 30, 1866;

An act to provide for appointing an assistant county attorney for the county of Kenton;

An act to amend the charter of the Second German Protestant Benevolent Society, of Louisville;

An act to amend the charter of the city of Paris;

An act revising the charter of the town of New Liberty, in Owen county;

An act to authorize the town of Falmouth to subscribe for turnpike stock;

An act to amend and reduce into one all the acts in regard to the town of Columbia;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

The House then, according to order, took up for further consideration the reports of the Board to whom was referred the matter of contest for a seat in this House, between Messrs. Woodworth and Walker, as the duly elected Representative from the county of Lewis.

The question being on the adoption of the resolutions reported by the majority of said committee, which are as follows, viz:

1. *Resolved*, That T. J. Walker is not legally and rightfully entitled to a seat in this House as a member thereof from the county of Lewis.

2. That the office of Representative in this House from the county of Lewis is vacant.

3. That the Speaker of this House be directed to issue a writ of election to fill said vacancy, as required by law.

Mr. Chrisman moved to postpone the further consideration of said reports till to-morrow, at half-past ten o'clock, A. M.

Mr. Tucker moved to amend the motion of Mr. Chrisman by striking out "to-morrow, at half-past ten o'clock, A. M.," and inserting in lieu thereof "Tuesday next, at eleven o'clock, A. M."

And the question being taken on the amendment proposed by Mr. Tucker, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Anderson and Scales, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | W. L. Reeves, |
| Church H. Blakey, | Wm. A. Hoskins, | Wm. Sellers, |
| R. D. Cook, | G. W. Little, | James W. Snyder, |
| J. E. Cosson, | J. A. McCampbell, | Joseph T. Tucker, |
| W. H. Evans, | Mat. Nunan, | E. F. Waide, |

| | | |
|---|---|---|
| Manlius T. Flippin, | John W. Ogilvie, | J. N. Woods, |
| C. D. Foote, | Julian N. Phelps, | J. M. Wright—23. |
| Joseph P. Foree, | Hiram S. Powell, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | J. L. Nall, |
| Wm. A. Allen, | John W. Dyer, | Lewis Potter, |
| George W. Anderson, | M. Woods Ferguson, | E. A. Robertson, |
| A. C. Armstrong, | James B. Fitzpatrick, | John Rowan, |
| Alpheus W. Bascom, | James Garnett, | John P. Rowlett, |
| John A. Bell, | E. A. Graves, | J. R. Sanders, |
| S. C. Bell, | C. P. Gray, | Samuel M. Sanders, |
| Wm. F. Bond, | George M. Jessee, | C. C. Scales, |
| W. B. M. Brooks, | E. Polk Johnson, | William Tarlton, |
| W. W. Bush, | T. M. Johnson, | J. S. Taylor, |
| Robert M. Carlisle, | T. J. Jones, | C. W. Threlkeld, |
| John S. Carpenter, | J. S. Lawson, | Harry I. Todd, |
| George Carter, | J. J. McAfee, | L. W. Trafton, |
| B. E. Cassilly, | Bryan S. McClure, | T. W. Varnon, |
| James S. Chrisman, | William J. McElroy, | J. L. Waring, |
| C. M. Clay, jr., | M. E. McKenzie, | C. H. Webb, |
| J. Guthrie Coke, | T. J. Megibben, | J. M. White, |
| William G. Conrad, | J. C. Moorman, | Mordecai Williams, |
| R. L. Cooper, | W. A. Morin, | F. A. Wilson, |
| Thomas H. Corbett, | Wm. Mynhier, | S. H. Woolfolk—60. |

The question was then taken on the motion of Mr. Chrisman, and it was decided in the negative.

Mr. Varnon moved to reconsider the last vote taken.

And the question being taken thereon, it was decided in the negative.

Mr. Scales then offered the following resolution, from the minority of said Board, as a substitute, by way of amendment, for the resolutions of the majority now pending, viz:

*Resolved*, That Benjamin E. Woodworth is the legally elected Representative of the county of Lewis, and that he now be permitted to qualify as such, and take the seat now occupied by Thomas J. Walker.

Mr. Cook then moved to postpone the further consideration of this subject until the 3d inst.

And the question being taken on the motion of Mr. Cook, it was decided in the negative.

The question was then taken on the substitute, by way of amendment, proposed by Mr. Scales, and it was decided in the negative.

The yeas and nays being taken thereon were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | James B. Fitzpatrick, | E. A. Robertson, |
| A. C. Armstrong, | C. D. Foote, | John Rowan, |

A. S. Arnold,
G. W. Bailey,
Alpheus W. Bascom,
Wm. F. Bond,
W. B. M. Brooks,
C. M. Clay, jr.,
R. L. Cooper,
Joseph M. Davidson,
W. W. Deaderick,
M. Woods Ferguson,
Clinton Griffith,
George M. Jessee,
T. M. Johnson,
G. W. Little,
J. J. McAfee,
Bryan S. McClure,
W. A. Morin,
Wm. Mynhier,
J. L. Nall,
W. L. Reeves,
J. R. Sanders,
Samuel M. Sanders,
C. C. Scales,
James W. Snyder,
William Tarlton,
J. S. Taylor,
Joseph T. Tucker,
Mordecai Williams,
F. A. Wilson—35.

Those who voted in the negative, were—

Mr. Speaker (M'Creary)
Wm. A. Allen,
W. W. Ayers,
W. N. Beckham,
John A. Bell,
S. C. Bell,
J. C. S. Blackburn,
Church H. Blakey,
W. W. Bush,
Robert M. Carlisle,
John S. Carpenter,
George Carter,
B. E. Cassilly,
James S. Chrisman,
J. Guthrie Coke,
William G. Conrad,
R. D. Cook,
Thomas H. Corbett,
J. E. Cosson,
John W. Dyer,
W. H. Evans,
Manlius T. Flippin,
Joseph P. Foree,
James Garnett,
Wm. Cassius Goodloe,
E. A. Graves,
C. P. Gray,
J. P. Hampton,
Wm. A. Hoskins,
E. Polk Johnson,
T. J. Jones,
J. S. Lawson,
J. A. McCampbell,
William J. McElroy,
M. E. McKenzie,
T. J. Megibben,
J. C. Moorman,
Mat. Nunan,
John W. Ogilvie,
Julian N. Phelps,
Lewis Potter,
Hiram S. Powell,
John P. Rowlett,
William Sellers,
C. W. Threlkeld,
Harry I. Todd,
L. W. Trafton,
T. W. Varnon,
E. F. Waide,
C. H. Webb,
J. N. Woods,
S. H. Woolfolk,
J. M. Wright—53.

And so said substitute was rejected.

The question was then taken separately on the several resolutions reported by the majority of said Board (a division of the question being called for by Mr. Jessee), and each of said resolutions were separately adopted.

Mr. Chrisman offered the following resolution, viz:

*Resolved*, That the thanks of this House are due, and now tendered, to Hon. E. Polk Johnson, for the unusual and very laborious service performed by him as one of the Board to whom was referred the contested election case from the county of Lewis.

Which was adopted.

According to order, the House took up for further consideration a bill, entitled

A bill to repeal an act, entitled "An act to amend chapter 53 of the Revised Statutes, title 'Interest and Usury,'" approved March 14th, 1871,

With the amendments proposed thereto.

Mr. Corbett then moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | John W. Dyer, | E. A. Robertson, |
| A. C. Armstrong, | W. H. Evans, | John Rowan, |
| A. S. Arnold, | M. Woods Ferguson, | John P. Rowlett, |
| Alpheus W. Bascom, | C. D. Foote, | J. R. Sanders, |
| J. A. Bell, | Wm. Cassius Goodloe, | C. C. Scales, |
| J. C. S. Blackburn, | Clinton Griffith, | Wm. Sellers, |
| Wm. F. Bond, | J. P. Hampton, | James W. Snyder, |
| W. B. M. Brooks, | Wm. A. Hoskins, | William Tarlton, |
| W. W. Bush, | E. Polk Johnson, | J. S. Taylor, |
| Robert M. Carlisle, | T. J. Jones, | C. W. Threlkeld, |
| John S. Carpenter, | J. S. Lawson, | Harry I. Todd, |
| George Carter, | G. W. Little, | L. W. Trafton, |
| B. E. Cassilly, | J. A. McCampbell, | Joseph T. Tucker, |
| C. M. Clay, jr., | T. J. Megibben, | T. W. Varnon, |
| J. Guthrie Coke, | J. C. Moorman, | E. F. Waide, |
| Wm. G. Conrad, | W. A. Morin, | J. L. Waring, |
| R. D. Cook, | John W. Ogilvie, | Mordecai Williams, |
| R. L. Cooper, | Julian N. Phelps, | F. A. Wilson, |
| Thomas H. Corbett, | Lewis Potter, | J. N. Woods, |
| J. E. Cosson, | Hiram S. Powell, | J. M. Wright—62. |
| W. W. Deaderick, | W. L. Reeves, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | Bryan S. McClure, |
| Wm. A. Allen, | Manlius T Flippin, | W. J. McElroy, |
| W. W. Ayers, | Joseph P. Foree, | M. E. McKenzie, |
| G. W. Bailey, | James Garnett, | Wm. Mynhier, |
| W. N. Beckham, | E. A. Graves, | J. L. Nall, |
| S. C. Bell, | C. P. Gray, | Mat. Nunan, |
| Church H. Blakey, | George M. Jessee, | Samuel M. Sanders, |
| James S. Chrisman, | Thos. M. Johnson, | C. H. Webb, |
| Joseph M. Davidson, | J. J. McAfee, | S. H. Woolfolk—27. |

And so said bill and proposed amendments were laid on the table.

The original bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act to amend chapter 53 of the Revised Statutes, title "Interest and Usury," and approved March 14, 1871, chapter 1554 of the acts of 1871, be, and the same is hereby, repealed.

§ 2. That this act shall take effect from and after its passage.

The amendment proposed by Mr. Graves is as follows, viz:

§ 2. That so much of an act to amend chapter 53 of the Revised Statutes, title "Interest and Usury," as was repealed or modified by an act approved March 14, 1871, be, and the same is, again re-enacted.

The substitute for bill and amendment proposed by Mr. Wright is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 5 of an act, entitled "An act to amend chapter 53 of the Revised Statutes, title 'Interest and Usury,'" approved March 14, 1871, be, and the same is hereby, so amended as to read as follows: That if any rate of interest exceeding the rate authorized by the first section of this act shall be charged, the interest in excess of six per cent. per annum shall be forfeited; and if the lender in such usurious contract refuse, before suit brought, a tender of the principal, with interest at the rate of six per cent. per annum, he may, in any suit brought on such contract or assurance, recover the principal and six per cent. per annum interest, but shall pay the costs of such suit.

§ 2. This act shall take effect from its passage.

The House took up the amendment proposed by the Senate to a bill which originated in this House, entitled

An act to amend the charter of the town of South Carrollton.

Said amendment was concurred in, and the title thereof changed as proposed by the Senate.

The House also took up for consideration the amendments proposed by the Senate to a bill which originated in this House, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

The amendments proposed by the Senate are as follows, viz:

First amendment: Add to the 14th section:

*Provided, however*, That the trustees of the Cincinnati Southern Railway Company shall pay into the Treasury of this Commonwealth an amount equal to fifty cents per capita for each through passenger across the Commonwealth of Kentucky, and twenty-five cents for each passenger for one hundred miles of travel on said road within the limits of the State of Kentucky.

Second amendment: Amend further by adding to the 14th section, as amended, the following:

And the said trustees shall also pay semi-annually into the Treasury of this Commonwealth an amount equal to one cent on each one hundred pounds of through freight shipped over said road; and all payments due to the Treasury under this act shall be made

in the manner, and at such times, as may be established by the Auditor of Public Accounts of this State.

Third amendment: In line 18 of preamble, after the word "expressed," and before the word "and," insert the following:

*Provided*, The trustees of said road shall cause to be surveyed one or more routes for said road, by a competent engineer and assistants, from the city of Cincinnati, by the way of Nicholasville and Danville, to the State line in the direction of Sparta, Tennessee; thence on the most direct practicable route to Chattanooga, having due regard to grade and cost of construction. The engineers shall lay before the board of trustees a map of the route, exhibiting the excavation, fills, bridges, grades, tunnels, &c., with approximate estimates of the cost of constructing the road from Cincinnati to the State line, thence to Chattanooga; which estimates shall show separately the cost of constructing this line, and others that may be made, and reported by engineers. Each line surveyed shall be reported to the citizens of Cincinnati, that they may express their preference for either route by their votes; and that the trustees shall locate the road-bed as indicated by the votes of the citizens and taxpayers of said city.

Fourth amendment: Add to the 16th section the following: "Except the payments required by this act."

Mr. Blackburn moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

And so the main question was ordered.

Mr. Coke called for a division of the question.

The question was then taken on the adoption of the first amendment proposed by the Senate, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hoskins and Blackburn, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | Wm. Mynhier, |
| Wm. A. Allen, | Manlius T. Flippin, | J. L. Nall, |
| A. C. Armstrong, | C. D. Foote, | Mat. Nunan, |
| W. W. Ayers, | Joseph P. Foree, | John W. Ogilvie, |
| Alpheus W. Bascom, | James Garnett, | Julian N. Phelps, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| John A. Bell, | E. A. Graves, | W. L. Reeves, |
| S. C. Bell, | C. P. Gray, | E. A. Robertson, |
| J. C. S. Blackburn, | Clinton Griffith, | John Rowan, |
| Wm. F. Bond, | J. P. Hampton, | John P. Rowlett, |
| W. W. Bush, | Wm. A Hoskins, | C. C. Scales, |
| Robert M. Carlisle, | George M. Jessee, | William Sellers, |
| John S. Carpenter, | T. M. Johnson, | James W. Snyder, |
| George Carter, | T. J. Jones, | C. W. Threlkeld, |

| | | |
|---|---|---|
| James S. Chrisman, | J. S. Lawson, | Harry I. Todd, |
| C. M. Clay, jr., | G. W. Little, | L. W. Trafton, |
| Wm. G. Conrad, | J. J. McAfee, | Joseph T. Tucker, |
| R. D. Cook, | J. A. McCampbell, | T. W. Varnon, |
| Thomas H. Corbett, | Bryan S. McClure, | E. F. Waide, |
| J. E. Cosson, | M. E. McKenzie, | J. L. Waring, |
| Joseph M. Davidson, | T. J. Megibben, | Mordecai Williams, |
| John W. Dyer, | J. C. Moorman, | J. N. Woods, |
| W. H. Evans, | W. A. Morin, | S. H. Woolfolk—69. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | R. L. Cooper, | Samuel M. Sanders, |
| A. S. Arnold, | James B. Fitzpatrick, | Wm. Tarlton, |
| G. W. Bailey, | E. Polk Johnson, | J. S. Taylor, |
| Church H. Blakey, | Wm. J. McElroy, | C. H. Webb, |
| W. B. M. Brooks, | Lewis Potter, | F. A. Wilson, |
| B. E. Cassilly, | J. R. Sanders, | J. M. Wright—19. |
| J. Guthrie Coke, | | |

And so said amendment was concurred in.

The second amendment proposed by the Senate was then concurred in.

The question was then taken on the adoption of the third amendment proposed by the Senate, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | Wm. Mynhier, |
| Wm. A. Allen, | Manlius T. Flippin, | J. L. Nall, |
| A. C. Armstrong, | C. D. Foote, | Mat. Nunan, |
| A. S. Arnold, | Joseph P. Foree, | John W. Ogilvie, |
| W. W. Ayers, | James Garnett, | Julian N. Phelps, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | W. L. Reeves, |
| John A. Bell, | E. A. Graves, | E. A. Robertson, |
| S. C. Bell, | C. P. Gray, | John Rowan, |
| J. C. S. Blackburn, | Clinton Griffith, | John P. Rowlett, |
| Wm. F. Bond, | J. P. Hampton, | C. C. Scales, |
| W. B. M. Brooks, | Wm. A. Hoskins, | William Sellers, |
| W. W. Bush, | George M. Jessee, | James W. Snyder, |
| Robert M. Carlisle, | Thos. M. Johnson, | C. W. Threlkeld, |
| John S. Carpenter, | T. J. Jones, | Harry I. Todd, |
| George Carter, | J. S. Lawson, | Joseph T. Tucker, |
| James S. Chrisman, | J. J. McAfee, | T. W. Varnon, |
| C. M. Clay, jr., | J. A. McCampbell, | E. F. Waide, |
| Wm. G. Conrad, | Bryan S. McClure, | J. L. Waring, |
| Thomas H. Corbett, | M. E. McKenzie, | Mordecai Williams, |
| J. E. Cosson, | T. J. Megibben, | F. A. Wilson, |
| Joseph M. Davidson, | J. C. Moorman, | J. N. Woods, |
| W. H. Evans, | W. A. Morin, | S. H. Woolfolk—66. |

Those who voted in the negative were—

| | | |
|---|---|---|
| George W. Anderson, | James B. Fitzpatrick, | Samuel M. Sanders, |
| G. W. Bailey, | E. Polk Johnson, | Wm. Tarlton, |
| W. N. Beckham, | G. W. Little, | J. S. Taylor, |
| B. E. Cassily, | Wm. J. McElroy, | L. W. Trafton, |
| J. Guthrie Coke, | Lewis Potter, | C. H. Webb, |
| R. L. Cooper, | Hiram S. Powell, | J. M. Wright—19. |
| John W. Dyer, | | |

And so said amendment was concurred in.

When the vote on the third amendment was being taken, and the name of Mr. Speaker McCreary was called, he rose and said:

The third amendment does not locate the Southern Railroad by way of Nicholasville, Danville, and Sparta, but simply directs that a survey shall be made on that route. The trustees may survey as many routes as they choose; and when the surveys are completed, the people of the city of Cincinnati have the right to direct, by their votes, on what route the road shall be constructed. Surveys have already been made on several routes; and this amendment does not, in my opinion, interfere with the legal rights of any other railroad in this Commonwealth; but it will simply, if carried out in good faith, give the people who furnish the money to build the road the right to locate it.

The fourth amendment proposed by the Senate was then concurred in.

Mr. Blackburn then moved to reconsider the votes by which the 1st and 3d amendments of the Senate were concurred in.

Mr. Chrisman moved to lay the motion of Mr. Blackburn on the table.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

And then the House adjourned.

FRIDAY, FEBRUARY 2, 1872.

The following petitions were presented, viz:

By Mr. Beckham—

1. The petition of citizens of Bloomfield, Nelson county, praying the passage of an act authorizing them to take a vote as to whether or not they will impose an additional tax on themselves in aid of the Cumberland and Ohio Railroad.

By same—

2. The petition of citizens of same place, praying the passage of an act requiring the several turnpike roads which enter said place to remove their toll-gates to the distance of one mile therefrom.

By Mr. McClure—

3. The petition of certain citizens of Russell county, praying an extension of the terms of their circuit court.

By Mr. McAfee—

4. The petition of sundry citizens of district No. 3, Mercer county, praying the passage of an act to prohibit the sale of spirits within one mile of their voting place.

By Mr. Deaderick—

5. The petition of the justices of Pendleton county, praying that clerks be allowed fees in felony cases.

By Mr. Nunan—

6. The petition of sundry citizens of Washington county, praying for the establishment of an additional justices' district in said county.

By Mr. Brooks—

7. The petition of various citizens of Spencer county, praying the passage of a prohibitory liquor law in said county.

By Mr. Bascom—

8. The petition of various citizens, praying for the repeal or modification of the charter of the Licking River Mining and Lumber Company.

By Mr. Speaker (McCreary)—

9. The petition of certain citizens of Boone county, praying for the reduction of taxes, salaries, &c.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Railroads; the 2d to the Committee on Inter-

nal Improvement; the 3d to the Committee on Circuit Courts; the 4th and 7th to the Committee on Religion; the 5th to the Committee on the Revised Statutes; the 6th to the Committee on County Courts; the 8th to the Committee on Corporate Institutions; and the 9th to the Commitee on Propositions and Grievances.

A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bourbon Female College.

An act to incorporate the Bourbon Building and Savings Association of Paris.

An act for the benefit of Anderson C. Butler, of Breathitt county.

And that they had passed bills of the following titles, viz:

1. An act to change the time of meeting of the General Assembly.

2. An act to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream.

3. An act to authorize T. D. Marcum and M. H. Johns to erect a boom across Wolf creek, in Martin county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Judiciary; and the 2d and 3d to the Committee on Internal Improvement.

On motion, leave of absence, indefinitely, was granted to Messrs. Nall, Graves, Garnett, and Cook.

Mr. Rowan moved to reconsider the vote by which this House, on yesterday, passed a bill, which originated in the Senate, entitled

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Corbett, from a select committee—

A bill for the benefit of common school district No. 47, in Marion county.

By Mr. Powell, from a select committee—

A bill to amend an act, entitled "An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county."

By same—

A bill to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to incorporate the Henderson Bridge Company.

By Mr. Blackburn, from the Committee on Railroads—

A bill to incorporate the Contracting and Building Company.

By Mr. Scales, from the same committee—

A bill to amend an act incorporating the Paris, Georgetown, and Frankfort Railroad Company, approved March 23, 1871.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Armstrong, from the Committee on Education—

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky.

By Mr. Coke, from the Committee on the Judiciary—

A bill for the appointment of official reporters for the preservation of evidence in certain cases in Jefferson county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be printed, and their consideration postponed to, and made the special order of the day for, the 1st for Friday, the 9th instant, at 11 o'clock, and the 2d for Wednesday, the 7th instant, at 11 o'clock.

Mr. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the town of Bowling Green,

Reported the same without amendment.

Mr. Potter offered amendments to said bill, which were rejected.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Threlkeld, from the Committee on Religion, to whom was referred a bill from the Senate, entitled

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Blackburn read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Governor shall have the power to assign to the public officers of this Commonwealth such rooms in the public buildings as he may think proper.

On motion of Mr. Blackburn, the rule was suspended, said resolution taken up, twice read, and adopted.

On motion of Mr. Foote, leave is given to bring in a bill relating to special terms of county courts.

*Ordered*, That the Committee on County Courts prepare and bring in the same.

Mr. Waring, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to incorporate Uniontown, Princeton, and Southern Railroad Company,

Reported the same with sundry amendments, which were adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up from the orders of the day, and proceeded to consider further, a bill from the Senate, entitled

An act to incorporate the Western Tobacco Bank and Warehouse Company,

With the amendments proposed by the committee.

Said amendments were adopted.

Mr. Chrisman offered the following additional amendment, viz:

Add after the figures "1871," in 7th line of 5th section, these words: "Saving and excepting so much of said act as authorizes them to sell and dispose of articles of property deposited with them, without the intervention of the courts of this State."

And the question being taken on the adoption of the proposed amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | Wm. Mynhier, |
| A. C. Armstrong, | Manlius T. Flippin, | J. P. Sacksteder, |
| John A. Bell, | E. A. Graves, | J. R. Sanders, |
| S. C. Bell, | C. P. Gray, | C. C. Scales, |
| J. C. S. Blackburn, | George M. Jessee, | J. S. Taylor, |
| Robert M. Carlisle, | T. J. Jones, | C. W. Threlkeld, |
| George Carter, | J. S. Lawson, | L. W. Trafton, |
| James S. Chrisman, | William J. McElroy, | Joseph T. Tucker—26. |
| William G. Conrad, | T. J. Megibben, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | John W. Dyer, | Julian N. Phelps, |
| George W. Anderson, | M. Woods Ferguson, | Lewis Potter, |
| A. S. Arnold, | C. D. Foote, | Hiram S. Powell, |
| W. W. Ayers, | Wm. Cassius Goodloe, | E. A. Robertson, |
| Alpheus W. Bascom, | Clinton Griffith, | John Rowan, |
| W. N. Beckham, | J. P. Hampton, | John P. Rowlett, |
| Wm. F. Bond, | Wm. A. Hoskins, | Wm. Tarlton, |
| W. B. M. Brooks, | E. Polk Johnson, | Harry I. Todd, |
| W. W. Bush, | T. M. Johnson, | T. W. Varnon, |
| John S. Carpenter, | G. W. Little, | E. F. Waide, |
| B. E. Cassilly, | J. J. McAfee, | J. L. Waring, |
| C. M. Clay, jr., | J. A. McCampbell, | C. H. Webb, |
| J. Guthrie Coke, | Bryan S. McClure, | Mordecai Williams, |
| R. L. Cooper, | W. A. Morin, | F. A. Wilson, |
| Thomas H. Corbett, | Mat. Nunan, | J. N. Woods, |
| W. W. Deaderick, | John W. Ogilvie, | J. M. Wright—48. |

And so said amendment was rejected.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Cumberland county court to levy an additional poll and ad valorem tax for county purposes;

An act to legalize the action of the Cumberland county court in the sale of the old jail in said county;

An act regulating the time of holding the quarterly courts in Nicholas county;

An act to create the office of auditor for Warren county;

An act to authorize the county court of Green to issue bonds and levy a tax for certain purposes;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to amend the charter of the town of Lancaster," approved March 11, 1870;

An act for the benefit of the executors of James P. Mitchell, deceased;

An act to amend the town charter of Lebanon;

An act for the benefit of all persons owning lands binding on that part of Mann's Lick road, alias Saratoga street, alias Pope street, between Broadway, in the city of Louisville, and its intersection with Rothwell street;

An act for the benefit of John Goodin, commissioner of common schools for Josh Bell county;

An act for the benefit of White Sulphur school district, in Scott county;

An act to legalize the action of the Commissioners of the Sinking Fund of Marion county in relation to sale of Louisville and Nashville Railroad stock, and other matters pertaining thereto;

An act to amend an act, entitled "An act to incorporate the town of Frenchburg, in Menifee county;"

An act to incorporate the town of Martinsburg, in Elliott county;

An act creating a lien on property for the erection of gas lamp-posts in the city of Paducah;

An act to amend an act, entitled "An act to incorporate the town of Sonora, in Hardin county;"

An act for the benefit of St. Joseph's Industrial School for Boys, in the city of Louisville;

An act for the benefit of Lark Howard, of Magoffin county;

An act to extend the corporate limits of the town of Paradise, in Muhlenburg county;

An act to amend an act revising the charter of the city of Paducah, Kentucky, approved February 11th, 1871;

A act to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company;

An act to provide for the improvement of the public roads in Butler county;

An act to amend an act, entitled "An act to amend the charter of the Covington and Lexington Turnpike Road Company;"

An act to amend the charter of the Independence and Big Bone Turnpike Road Company;

An act incorporating the Beech Fork and Simpson's Creek Turnpike Road Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

At half-past one o'clock, P. M., Mr. Chrisman moved that the House do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Coke and McAfee, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | John W. Ogilvie, |
| A. C. Armstrong, | C. D. Foote, | Hiram S. Powell, |
| A. S. Arnold, | Wm. Cassius Goodloe, | John Rowan, |
| Alpheus W. Bascom, | Clinton Griffith, | John P. Rowlett, |
| W. N. Beckham, | J. P. Hampton, | C. C. Scales, |
| John A. Bell, | Wm. A. Hoskins, | Wm. Tarlton, |
| J. C. S. Blackburn, | T. J. Jones, | Harry I. Todd, |
| Wm. F. Bond, | J. S. Lawson, | L. W. Trafton, |
| W. W. Bush, | G. W. Little, | T. W. Varnon, |
| John S. Carpenter, | J. J. McAfee, | E. F. Waide, |
| B. E. Cassilly, | J. A. McCampbell, | J. L. Waring, |
| James S. Chrisman, | Bryan S. McClure, | C. H. Webb, |
| C. M. Clay, jr., | Wm. J. McElroy, | Mordecai Williams, |
| R. D. Cook, | M. E. McKenzie, | F. A. Wilson, |
| Thomas H. Corbett, | T. J. Megibben, | J. N. Woods, |
| J. E. Cosson, | W. A. Morin, | J. M. Wright—50. |
| John W. Dyer, | Mat. Nunan, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. W. Deaderick, | Julian N. Phelps, |
| George W. Anderson, | M. Woods Ferguson, | Lewis Potter, |
| W. W. Ayers, | Manlius T. Flippin, | E. A. Robertson, |
| S. C. Bell, | E. A. Graves, | J. P. Sacksteder, |
| W. B. M. Brooks, | C. P. Gray, | J. R. Sanders, |
| Robert M. Carlisle, | George M. Jessee, | J. S. Taylor, |
| J. Guthrie Coke, | E. Polk Johnson, | C. W. Threlkeld, |
| Wm. G. Conrad, | T. M. Johnson, | Joseph T. Tucker, |
| Joseph M. Davidson, | Wm. Mynhier, | S. H. Woolfolk—27. |

And then the House adjourned.

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## SATURDAY, FEBRUARY 3, 1872.

The following petitions were presented, viz:

By Mr. Hampton—

1. The petition of sundry citizens of Lee county, praying for the removal of their county seat.

By Mr. Williams—

2. The petition of W. O. Hampton, praying that compensation be allowed circuit clerks for fees in felony cases.

By Mr. Blackburn—

3. The petition of certain citizens of Woodford county, praying the passage of a law to protect fish in said county.

By Mr. Hoskins—

4. The petition of sundry citizens of Boyle county, praying for the repeal of a certain provision of the charter of Shelby City.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Propositions and Grievances; the 2d to the Committee on Revised Statutes; and the 4th to the Committee on County Courts.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the trustees of the Presbyterian Church of Augusta.

An act prohibiting the vending of ardent, malt, or vinous spirits in the second magisterial district, in Mercer county.

An act to incorporate the Riverton Iron and Mining Company.

An act to amend the charter of the Union and Richwood Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Salt Lick, Esculapia, and Mt. Carmel Turnpike Road Company."

An act to amend the charter of the Board of Internal Improvement for Anderson county.

An act to incorporate the Stoner Run and Kentucky River Turnpike Road, in Madison county.

An act to amend the charter of the Newport and Dayton Turnpike Company.

An act to legalize certain orders of the Mercer county court.

An act authorizing the indexing of the order-books of the Mercer county court.

An act to amend an act, entitled "An act to authorize the Henderson county court to raise money by an ad valorem tax and issuing bonds," approved February 27th, 1867.

An act for the benefit of district No. 3, in McLean county.

An act concerning the county levy and taxation in Livingston county.

An act to amend the charter of the Dry Creek and Covington Turnpike Company.

An act to change the time of holding the county and quarterly courts of Letcher county.

An act authorizing and empowering the county court of levies and disbursements of Rockcastle county to levy an additional capitation and ad valorem tax for the purpose of building a new court-house, clerks' offices, &c., for said county.

An act to amend an act, entitled "An act to authorize the Elliott county court to levy an additional tax for county purposes," approved March 8, 1870.

An act to change the time of holding the county and quarterly courts of Perry county.

An act to amend an act re-establishing the court of common pleas in Hickman county, in the first judicial district.

An act to repeal part of an act, entitled "An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county," approved February 24, 1871.

An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county.

With amendments to the last two named bills.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to incorporate Adams Lodge, No. 188 Independent Order of Odd Fellows, of the State of Kentucky.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Pearce, Wallingford & Co.

2. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Jefferson Southern Pond Draining Company.'"

3. An act to incorporate the Southside Turnpike Road Company.

4. An act to amend the charter of the city of Maysville.

5. An act to amend an act, entitled "An act for the benefit of the estate of Thos. H. Crawford," approved January 13, 1872.

6. An act to incorporate the Westport, Carrollton, and Ghent Railroad Company.

7. An act to amend the charter of the city of Paducah.

8. An act in relation to the sale of spirituous liquors in Owsley county.

9. An act to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport election precinct.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Propositions and Grievances; the 2d, 4th, and 7th to the Committee on Corporate Institutions; the 3d to the Committee on Internal Improvement; the 5th to the Committee on the Judiciary; the 6th to the Committee on Railroads; and the 8th and 9th to the Committee on Religion.

The House took up the amendments proposed by the Senate to a joint resolution adopted by the House of Representatives, entitled

Resolution providing for an examination of the charitable institutions of the State.

Said amendments were concurred in.

And thereupon the Speaker appointed the following committee thereunder, on the part of this House, viz: Messrs. Jessee, T. M. Johnson, and Anderson.

On motion, leave of absence, indefinitely, is granted Mr. S. C. Bell.

On motion of Mr. Armstrong,

*Ordered*, That a message be sent to the Senate, asking leave to withdraw therefrom the announcement of the passage by the House of Representatives of a bill, entitled

An act for the benefit of common school district No. 47, in Marion county.

The message being sent to the Senate, said bill was returned to this House and laid upon the Clerk's table.

And thereupon Mr. Armstrong moved to reconsider the vote by which said bill was passed.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to amend the charter of the town of Bowling Green;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

The Speaker laid before the House the report of the Commissioners to cause certain warehouses to be erected for the use of the Penitentiary, which was taken up and read as follows, viz:

FRANKFORT, KY., February 2d, 1872.

*To the General Assembly:*

Your Commissioners, appointed by an act approved March 13, 1871, appropriating twenty-eight thousand three hundred and eleven dollars ($28,311) for the purpose of constructing a block of warehouses, four in number, for the use of the Penitentiary, beg leave to submit the following report to your honorable body:

In pursuance to the provisions of said act we employed a competent architect to furnish a suitable plan and specifications for the construction of the warehouses provided for; and after advertising the letting of the same, as required by the terms of said act, Col. J. W. South, being the lowest and best bidder, was awarded the contract for constructing said warehouses at the sum of twenty-two thousand three hundred and sixty dollars and sixty-three cents ($22,360 63). We also paid, in addition to this amount, for services of architect and advertising, eleven hundred and eighteen dollars and three cents ($1,118 03), and seventy dollars ($70) for extra work, making the entire cost of said warehouses twenty-three thousand five hundred and forty-eight dollars and sixty-six cents ($23,548 66), leaving unexpended of said appropriation four thousand seven hundred and sixty-two dollars and thirty-four cents ($4,762 34).

Your Commissioners further report, that said warehouses were entirely completed and received by them on the part of the State,

from the contractor, on the 31st day of January, ult.; and a more substantial, well-constructed building it would be difficult to find.

Too much credit cannot be awarded the contractor for the faithfulness and honesty with which he executed his contract. We do not believe that there is a single particle of inferior material put in said building, and it is erected in the most substantial and workmanlike manner. You are respectfully requested to call and examine and inspect it for yourselves.

Respectfully submitted.

P. H. LESLIE,
*Chairman of said Board.*
D. HOWAND SMITH,
JAMES W. TATE.

*Ordered*, That said report be referred to the Committee on the Penitentiary.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. F. A. Wilson, from the Committee on County Courts—

A bill providing for the assessment of property in McCracken county for railroad purposes.

By Mr. T. M. Johnson, from a select committee—

A bill to regulate sales made under decrees of the Metcalfe circuit court.

By Mr. Fitzpatrick, from a select committee—

A bill regulating the time of holding the circuit courts in the counties of Perry, Breathitt, and Clay.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill to establish the Ohio River and Tygart's Drain district, in Greenup county.

By Mr. F. A. Wilson, from the Committee on County Courts—

A bill to legalize the subscription of stock to the New Castle and Kentucky River Turnpike Road Company by the court of claims of Henry county.

By same—

A bill for the benefit of McCracken county.

By same—

A bill for the benefit of common school district No. 12, in Woodford county.

By same—

A bill to facilitate the collection of taxes in McCracken county.

By same—

A bill for the benefit of John Ewell, jailer of McCracken county.

By same—

A bill to authorize the county court of Hancock county to levy taxes to build bridges and work roads in said county.

By same—

A bill in relation to the levy court of Spencer county.

By same—

A bill creating magisterial district No. 10, in Union county.

By same—

A bill to amend the police court in the town of Hickman.

By Mr. Mynhier, from the same committee—

A bill authorizing the sale of the Henry county poor-house farm, and the purchase of a smaller lot of ground, with suitable buildings, for the accommodation of the white paupers of said county.

By same—

A bill to change the time of holding county court in Lincoln county.

By same—

A bill to amend the charter of the town of Harrodsburg.

By Mr. Bush, from the same committee—

A bill to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges.

By same—

A bill empowering the Bullitt county court to sell the circuit and county clerks' offices in said county.

By same—

A bill to repeal in part an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7th, 1871.

By same—

A bill to change the times of holding the Henry county quarterly court.

By same—

A bill to re-run and mark the dividing line between the counties of Hancock and Ohio.

By same—

A bill in relation to delinquent tax-payers in Union county.

By same—

A bill to amend an act incorporating the town of Calvert City, in Marshall county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Blackburn, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to regulate foreign corporations engaged in operating railroads in the State of Kentucky,

Reported the same without amendment.

On motion of Mr. Scales,

*Ordered*, That the further consideration of said bill be postponed till Wednesday, the 7th instant.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz :

By Mr. Anderson, from the Committee on Corporate Institutions—

An act to amend an act, entitled "An act to incorporate the Stove, Grate, and Mantel Manufacturing Company," approved March 15th, 1869.

By Mr. Phelps, from the Committee on Religion—

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the court-house in Edmonton.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Brooks, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869,

Reported the same with amendments.

Said amendments were adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Tucker offered the following joint resolution, which lies one day on the table, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the two Houses of the General Assembly adjourn on the 15th of February, 1872, they adjourn to meet again on the 1st Monday in January, 1873, at 12 o'clock, M.

Mr. Morin offered the following preamble and joint resolutions, viz:

WHEREAS, The industrial and commercial interests of Kentucky and other States bordering on the Ohio river are being impaired by the long-continued low water, which renders said river almost impassable for boats of the lightest draft during a great portion of the year; and whereas, the growing commerce of the country requires the full capacity of boats of the largest class, at all seasons of the year, to carry off the accumulating commerce to the markets of the country, in order to develop our wealth and supply the wants of the people; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators be instructed, and our Representatives in Congress requested, to use their influence to secure a survey and estimate of the costs of so improving the Ohio river by locks and dams as to secure the navigation of said river at all seasons of the year by large-class steamers.

2. That after said survey and estimate are made, if the cost is not too extravagant, that they use their influence to obtain an appropriation to accomplish the same.

On motion of Mr. Morin, the rule was suspended, the said preamble and resolutions taken up, twice read, and adopted.

Mr. McClure offered the following resolution, viz:

*Resolved*, That a special committee be raised by this House on reduction and reform; and the Speaker of this House is directed to appoint said committee, which shall consist of one member from each Congressional District in this State; that said committee be directed to report a bill reducing the salaries of each and all the officials of this Commonwealth that they, in their wisdom, may think should be reduced, including members of the General Assembly.

Mr. Waide moved to lay said resolution on the table.

And the question being taken on the motion of Mr. Waide, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McClure and Gray, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | James S. Chrisman, | J. P. Sacksteder, |
| A. C. Armstrong, | C. M. Clay, jr., | J. R. Sanders, |
| A. S. Arnold, | J. Guthrie Coke, | James W. Snyder, |
| W. N. Beckham, | Josiah H. Combs, | William Tarlton, |
| John A. Bell, | Joseph M. Davidson, | Harry I. Todd, |
| J. C. S. Blackburn, | James B. Fitzpatrick, | Joseph T. Tucker, |
| Wm. F. Bond, | T. J. Jones, | E. F. Waide, |
| W. B. M. Brooks, | J. S. Lawson, | J. L. Waring, |
| W. W. Bush, | W. A. Morin, | Mordecai Williams, |
| John S. Carpenter, | Wm. Mynhier, | S. H. Woolfolk—31. |
| B. E. Cassilly, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Manlius T. Flippin, | Julian N. Phelps, |
| Wm. A. Allen, | Wm. Cassius Goodloe, | Lewis Potter, |
| W. W. Ayers, | C. P. Gray, | Hiram S. Powell, |
| Alpheus W. Bascom, | Clinton Griffith, | W. L. Reeves, |
| W. R. Bates, | J. P. Hampton, | John Rowan, |
| S. C. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| Thomas P. Cardwell, | George M. Jessee, | Wm. Sellers, |
| George Carter, | T. M. Johnson, | J. S. Taylor, |
| Wm. G. Conrad, | G. W. Little, | C. W. Threlkeld, |
| Thomas H. Corbett, | J. A. McCampbell, | L. W. Traſton, |
| J. E. Cosson, | Bryan S. McClure, | T. W. Varnon, |
| W. W. Deaderick, | William J. McElroy, | C. H. Webb, |
| John W. Dyer, | M. E. McKenzie, | F. A. Wilson, |
| W. H. Evans, | Mat. Nunan, | J. N. Woods—44. |
| M. Woods Ferguson, | John W. Ogilvie, | |

And so the House refused to lay said resolution on the table.

*Ordered*, That the further consideration of said resolution be postponed till Wednesday next, at half-past ten o'clock, A. M.

Mr. Sacksteder offered the following resolution, viz:

WHEREAS, The general testimony or evidence bill, which became a law on the 30th day of January, 1872, is of general importance to litigants and the courts of this Commonwealth; therefore, be it

*Resolved*, That the Secretary of State cause — thousand certified copies of said evidence bill to be printed; and that he send one of said copies to the judge of every court in this Commonwealth, and one to the editor or proprietor of every newspaper; that the Auditor draw his warrant in favor of said Secretary of State on the Treasurer for the amount of the expenses incurred.

On motion of Mr. Bascom, said resolution was laid on the table.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bascom—

1. A bill to amend the charter of the Licking River Mining and Lumber Company.

On motion of same—

2. A bill to amend the charter of the Owingsville and Sherburn Turnpike Road Company.

On motion of same—

3. A bill to incorporate the Owingsville Cemetery Company.

On motion of Mr. Hoskins—

4. A bill to incorporate Franklin Lodge, No. 28, Free and Accepted Masons, Danville, Kentucky.

On motion of Mr. Cardwell—

5. A bill to increase the price of vacant and unappropriated lands in the counties of Breathitt and Perry.

On motion of same—

6. A bill for the benefit of G. W. Carson, of Wolfe county.

On motion of Mr. F. A. Wilson—

7. A bill to incorporate the Evansville and Jackson Railroad.

On motion of Mr. J. R. Sanders—

8. A bill to more effectually guard the elective franchise, and to better secure the collection of revenues of the State and the counties thereof.

On motion of Mr. McClure—

9. A bill to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties.

On motion of Mr. Tucker—

10. A bill to amend the charter of the Kentucky River Turnpike Road Company.

On motion of Mr. Gray—

11. A bill for the benefit of J. J. Woods, of Clinton county.

On motion of Mr. Hampton—

12. A bill to charter the Proctor Seminary, in Lee county.

On motion of same—

13. A bill to establish and regulate the rates of ferry at the Three Forks of the Kentucky river, in Lee county.

On motion of Mr. Powell—

14. A bill to prevent fish-dams from being kept across the Rockcastle river.

On motion of Mr. Goodloe—

15. A bill for the benefit of apothecaries.

On motion of Mr. Arnold—

16. A bill for the benefit of county surveyors in this Commonwealth.

On motion of same—

17. A bill to amend the charter of the town of Moscow.

On motion of Mr. Woolfolk—

18. A bill to incorporate the Hunting Branch and Flat Creek Coal Mining and Manufacturing Company, in Hopkins county.

On motion of Mr. W. H. Evans—

19. A bill for the benefit of W. W. Pope, of Knox county.

On motion of Mr. Fitzpatrick—

20. A bill for the benefit of school district No. 22, in Letcher county.

On motion of Mr. Sacksteder—

21. A bill to amend article 1, chapter 55, of the Revised Statutes.

On motion of same—

22. A bill to amend an act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies, approved March 12, 1870.

On motion of same—

23. A bill to amend chapter 83 of the Revised Statutes, entitled "Revenue and Taxation."

On motion of Mr. Coke—

24. A bill to incorporate the Whitestone Quarry Company.

On motion of same—

25. A bill to incorporate the Broadway Baptist Church, of Louisville.

On motion of Mr. Mynhier—

26. A bill to further improve the navigation of the Licking river.

On motion of Mr. Beckham—

27. A bill for the benefit of Bloomfield district, in Nelson county.

On motion of Mr. J. A. Bell—

28. A bill for the benefit of the Georgetown, Oxford, and Leesburg Turnpike Road.

On motion of Mr. Reeves—

29. A bill to establish a bank of discount and deposit in Trenton, Todd county.

On motion of Mr. McKenzie—

30. A bill to amend the charter of the Clarksville and Princeton Railroad Company.

On motion of Mr. Dyer—

31. A bill to amend an act to incorporate the Union County Bank.

On motion of same—

32. A bill to enlarge the boundaries of Morganfield.

On motion of Mr. Speaker (McCreary)—

33. A bill to repeal chapter 853 of the acts of 1869–'70.

On motion of Mr. Chrisman—

34. A bill authorizing the Governor of this Commonwealth, and the present Secretary of State, to contract for the building of a new mansion for the Governor of this Commonwealth, or for the exchange of the one now occupied by him for another, the cost of the same to come out of the money now due this State by the Federal Government.

On motion of same—

35. A bill to make our laws conform to the legislation of the Federal Government in relation to voting by ballot for members of Congress and other United States officers.

On motion of Mr. Little—

36. A bill to amend the charter of the town of Williamsburg, in Whitley county.

On motion of Mr. Blackburn—

37. A bill for the benefit of the Cleveland Orphan Asylum.

On motion of same—

38. A bill for the benefit of common school district No. 12, in Woodford county.

On motion of same—

39. A bill to protect fish in the Kentucky river and its tributaries.

On motion of same—

40. A bill to incorporate the Leestown Turnpike Road Company, in Woodford county.

On motion of Mr. Armstrong—

41. A bill to require the sheriffs of this Commonwealth to advertise all real estate property levied on by them, &c.

On motion of Mr. Wright—

42. A bill to amend section 4, article 4, chapter 28, title "Crimes and Punishments," of the Revised Statutes.

On motion of same—

43. A bill to amend the law as to judicial sales of real estate of infants, &c.

On motion of same—

44. A bill to amend an act incorporating College Street Presbyterian Church, of Louisville.

On motion of Mr. Jessee—

45. A bill for the benefit of Henry county.

*Ordered*, That the Committee on Corporate Institutions prepare and bring in the 1st, 2d, 3d, 4th, 17th, 18th, 24th, 25th, 28th, 32d, 36th, and 44th; the Committee on Ways and Means the 6th; the Committee on Railroads the 7th, 27th, and 30th; the Committee on the Judiciary the 8th, 21st, 22d, 23d, and 35th; the Committee on Internal Improvement the 9th, 26th, and 40th; the Committee on the Revised Statutes the 10th, 33d, 41st, 42d, and 43d; the Committee on Propositions and Grievances the 11th, 13th, 14th, and 39th; the Committee on Education the 12th, 20th, and 38th; the Committee on Religion the 15th; the Committee on Codes of Practice the 16th; the Committee on County Courts the 19th; the Committee on Banks the 29th and 31st; the Committee on Charitable Institutions the 37th; a select committee, consisting of Messrs. Powell, Combs, Threlkeld, Phelps, and Hampton, the 5th; a select committee, consisting of Messrs. Chrisman, Baker, Varnon, Waring, Arnold, W. Evans, and Tarlton, the 34th; and a select committee, consisting of Messrs. Beckham, Bates, and F. A. Wilson, the 45th.

And then the House adjourned.

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## MONDAY, FEBRUARY 5, 1872.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, of the following title, viz:

Resolution in regard to the public buildings.

That they had concurred in the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Western Tobacco Bank and Warehouse Company.

An act to incorporate Uniontown, Princeton, and Southern Railroad Company.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to establish an additional justices' district in Trigg county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal the charter of the Methodist Episcopal Church, South, of Louisville.

An act to change the time of holding the McCracken county court of claims.

An act to authorize the county judge of Lincoln county to sell and convey the poor-house property in said county, and reinvest the proceeds.

An act for the benefit of Greenup county.

An act for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

With an amendment (substitute) to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Miss Blankenship, of Cumberland county.

2. An act for the benefit of the blind children and youth of the State of Kentucky.

3. An act to change the time of holding the Ohio quarterly court.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 2d to the Committee on Charitable Institutions, and the 3d to the Committee on County Courts.

The following petitions and remonstrances were presented, viz:

By Mr. Mynhier—

1. The petition of sundry citizens of Morgan and Rowan counties, praying an amendment to the charter of the Licking River Lumber and Mining Company.

By same—

2. The remonstrance of sundry citizens of Magoffin county, against any amendments to said charter.

By Mr. McClure—

3. The petition of sundry citizens of Russell county, praying for the repeal of the town charter of Jamestown.

By Mr. Cardwell—

4. The petition of certain citizens of Morgan county, praying to be annexed to the county of Wolfe.

By Mr. Armstrong—

5. The petition of citizens of Augusta, Bracken county, praying the repeal of the law regulating the license system in said town.

By Mr. Speaker (McCreary)—

6. The petition of the justices of the county court of Madison county, praying for an increase of pay when sitting as a court of claims.

By Mr. Trafton—

7. The petition of sundry citizens of Henderson county, praying for an act of incorporation for the town of Cairo.

By Mr. Hoskins—

8. The remonstrance of certain citizens of Shelby City, in Boyle county, against any alteration in their town charter.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 3d, 5th, 7th, and 8th to the Committee on Corporate Institutions; the 4th to the Committee on Propositions and Grievances; and the 6th to the Committee on County Courts.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Tucker, from the Committee on the Revised Statutes—

A bill to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the eighth judicial district.

By same—

A bill to amend section 17, chapter 24, Revised Statutes.

By same—

A bill relating to the Lunatic Asylums and other institutions of public charity in the State.

By same—

A bill to amend an act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth, approved March 25, 1871.

By same—

A bill for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company.

By same—

A bill for the benefit of St. Mary's College.

By same—

A bill to amend the charter of the city of Frankfort, regulating fees of police judge and marshal.

By same—

A bill for the benefit of Webster county.

By same—

A bill for the benefit of Montgomery Lodge, No. 23, of Free and Accepted Masons.

By Mr. Fitzpatrick, from the same committee—

A bill to authorize receivers to release liens retained by deed or mortgage in certain cases.

By Mr. Bates, from the same committee—

A bill for the benefit of Leesburg.

By same—

A bill to regulate the sale of spirituous liquors in Boyd county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the town of Falmouth to subscribe for turnpike stock.

An act to amend the charter of the Second German Protestant Benevolent Society, of Louisville.

An act to legalize certain acts of Jas. W. Staton, late road commissioner of Bracken county, for the years 1868-'9-'70.

An act to amend the charter of the city of Paris.

An act to amend the charter of the Western Insurance and Banking Company.

An act to declare Morgan's creek, in Lawrence county, a navigable stream.

An act revising the charter of the town of New Liberty, in Owen county.

An act to provide for appointing an assistant county attorney for the county of Kenton.

An act to amend the charter of the Owensboro Savings Bank.

An act to repeal an act, entitled "An act for the benefit of D. C. Smith, of Barren county," approved January 30, 1866.

An act to amend the charter of the Louisville and Nashville Railroad Company.

An act to amend an act, entitled "An act to amend the charter of the Covington and Lexington Turnpike Road Company."

An act to provide for the improvement of the public roads in Butler county.

An act to amend an act, entitled "An act to incorporate the town of Sonora, in Hardin county."

An act for the benefit of St. Joseph's Industrial School for Boys, in the city of Louisville.

An act to amend the charter of the Independence and Big Bone Turnpike Road Company.

An act to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company.

An act incorporating the Beech Fork and Simpson's Creek Turnpike Road Company.

An act for the benefit of all persons owning lands binding on that part of Mann's Lick road, alias Saratoga street, alias Pope street, between Broadway, in the city of Louisville, and its intersection with Rothwell street.

An act for the benefit of John Goodin, commissioner of common schools for Josh Bell county.

An act for the benefit of Lark Howard, of Magoffin county.

An act to amend an act revising the charter of the city of Paducah, Kentucky, approved February 11th, 1871.

An act to extend the corporate limits of the town of Paradise, in Muhlenburg county.

An act to incorporate the town of Martinsburg, in Elliott county.

An act to legalize the action of the Commissioners of the Sinking Fund of Marion county in relation to sale of Louisville and Nashville Railroad stock, and other matters pertaining thereto.

An act for the benefit of White Sulphur school district, in Scott county.

An act to repeal an act, entitled "An act to amend the charter of the town of Lancaster," approved March 11, 1870.

An act to amend an act, entitled "An act to incorporate the town of Frenchburg, in Menifee county."

An act to amend the town charter of Lebanon.

An act for the benefit of the executors of James P. Mitchell, deceased.

Resolution providing for an extension of the present session of the General Assembly.

Resolutions on the death of Hon. T. S. Fish.

On motion of Mr. McElroy,

*Ordered*, That a committee, consisting of Messrs. McElroy, Waring, and McClure, be apppointed on the part of this House, to act in conjunction with a similar committee to be appointed by the Senate, if they agree thereto, to wait on the Governor and request him to return, unsigned, to this House, an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the town of Bowling Green.

Said message having been delivered to the Senate, and a similar committee appointed therein, Mr. Waring returned and laid said bill on the Clerk's table.

And thereupon Mr. Waring moved to reconsider the votes by which said bill was passed, and the vote by which the same was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

And so said votes were reconsidered.

*Ordered*, That said bill be recommitted to the Committee on Corporate Institutions.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Trafton, from the Committee on County Courts—

An act to provide for defining and marking the line between the counties of Christian and Caldwell.

By same—

An act for the benefit of Wm. A. Byram, sheriff of Nicholas county.

By Mr. Tucker, from the Committee on the Revised Statutes—

An act to amend section 1, article 1, chapter 4, of the Revised Statutes.

By same—

An act amending section 13, chapter 30, of the Revised Statutes, title "Descent and Distribution."

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tucker, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill for the benefit of county court clerks.

Which was read the first time as follows, viz:

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter county clerks in this Commonwealth shall be allowed for each certificate furnished by them to pensioners fifty cents, which sum shall be paid by the pensioner.

§2. That all acts in conflict with the provisions of the preceding section are hereby repealed.

§3. That this act shall be in force from and after the time of its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

Mr. Goodloe moved to amend said bill by striking out the word "fifty," in the first section of said bill, and inserting in lieu thereof the word "twenty-five."

And the question being taken on the amendment of Mr. Goodloe, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sellers and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | William G. Conrad, | J. R. Sanders, |
| Wm. A. Allen, | Thomas H. Corbett, | C. C. Scales, |

| | | |
|---|---|---|
| A. C. Armstrong, | Joseph M. Davidson, | James W. Snyder, |
| A. S. Arnold, | John W. Dyer, | William Tarlton, |
| Alpheus W. Bascom, | Joseph P. Foree, | J. S. Taylor, |
| W. R. Bates, | Clinton Griffith, | C. W. Threlkeld, |
| W. N. Beckham, | Wm. A. Hoskins, | Harry I. Todd, |
| John A. Bell, | T. M. Johnson, | L. W. Trafton, |
| J. C. S. Blackburn, | T. J. Jones, | Joseph T. Tucker, |
| Wm. F. Bond, | J. S. Lawson, | T. W. Varnon, |
| W. B. M. Brooks, | W. A. Morin, | J. L. Waring, |
| W. W. Bush, | Wm. Mynhier, | C. H. Webb, |
| George Carter, | John W. Ogilvie, | Mordecai Williams, |
| B. E. Cassilly, | Lewis Potter, | F. A. Wilson, |
| James S. Chrisman, | W. L. Reeves, | S. H. Woolfolk, |
| C. M. Clay, jr., | John Rowan, | J. M. Wright—48. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | C. P. Gray, | Mat. Nunan, |
| Thomas P. Cardwell, | J. P. Hampton, | Julian N. Phelps, |
| Josiah H. Combs, | G. W. Little, | William Sellers, |
| J. E. Cosson, | J. A. McCampbell, | J. M. White, |
| Manlius T. Flippin, | Bryan S. McClure, | J. N. Woods—17. |
| Wm. Cassius Goodloe, | William J. McElroy, | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Tucker, from the Committee on Revised Statutes, to whom was recommitted

A bill to amend an act, entitled "An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors," approved March 22, 1871,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was rejected.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act in relation to the office of trustee of the jury fund.

Which was read the first time.

And the question being put, "Shall the bill be read a second time?" it was decided in the negative.

And so said bill was rejected.

Mr. Bates, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to fix the fees of county attorneys," approved February 21, 1868.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, in addition to the duties set forth in an act, entitled "An act to fix the fees of county attorneys," approved February 21st, 1868, it shall be their duty to assist the Commonwealth's Attorney in their respective counties in the prosecution of all cases of felony in the circuit court prosecuted by them in the examining court; and they shall receive fifteen per cent. of all bail bonds and recognizances forfeited in said cases, whether taken in the examining or circuit court.

§ 2. This act shall take effect from the time of its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and Flippin, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Lewis Potter, |
| Wm. A. Allen, | John W. Dyer, | W. L. Reeves, |
| A. C. Armstrong, | James B. Fitzpatrick, | John Rowan, |
| A. S. Arnold, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| W. W. Ayers, | Clinton Griffith, | C. C. Scales, |
| Alpheus W. Bascom, | J. P. Hampton, | Wm. Sellers, |
| W. R. Bates, | Wm. A. Hoskins, | James W. Snyder, |
| W. N. Beckham, | T. M. Johnson, | Wm. Tarlton, |
| John A. Bell, | T. J. Jones, | J. S. Taylor, |
| J. C. S. Blackburn, | J. S. Lawson, | C. W. Threlkeld, |
| Wm. F. Bond, | G. W. Little, | Harry I. Todd, |
| W. B. M. Brooks, | J. A. McCampbell, | Joseph T. Tucker, |
| W. W. Bush, | Bryan S. McClure, | T. W. Varnon, |
| George Carter, | M. E. McKenzie, | J. L. Waring, |
| B. E. Cassilly, | W. A. Morin, | J. M. White, |
| C. M. Clay, jr., | Wm. Mynhier, | Mordecai Williams, |
| Josiah H. Combs, | Mat. Nunan, | F. A. Wilson, |
| Wm. G. Conrad, | John W. Ogilvie, | S. H. Woolfolk, |
| Thomas H. Corbett, | Julian N. Phelps, | J. M. Wright—58. |
| J. E. Cosson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| James S. Chrisman, | Joseph P. Foree, | L. W. Trafton, |
| W. W. Deaderick, | C. P. Gray, | J. N. Woods—8. |
| Manlius T. Flippin, | Wm. J. McElroy, | |

*Resolved*, That the title of said bill be as aforesaid.

The House then took up the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the town of Earlington."

An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county.

An act for the benefit of James M. Greenwade, late sheriff of Menifee county.

An act to incorporate the town of Boston Station, in Pendleton county.

An act to incorporate the town of Fulton, in Fulton county.

An act to incorporate the town of Jackson.

An act to amend the charter of the city of Augusta, in Bracken county.

Said amendments were severally concurred in.

The House also took up the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

1. An act to repeal part of an act, entitled "An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county," approved February 24, 1871.

2. An act regulating the taking of bail bonds.

3. An act to amend the law with regard to crimes and punishments.

Said several amendments was concurred in, and the titles thereof so changed as to read,

1. An act authorizing the voters of Mackville precinct, in Washington county, to vote on the proposition whether ardent spirits shall be sold by retail in said precinct.

2. An act to amend the Criminal Code of Practice in relation to the taking of bail.

3. An act to amend section 8, article 25, chapter 28, of the Revised Statutes.

The House also took up the amendment (substitute) proposed by the Senate, to a bill which originated in this House, of the following title, viz.:

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

Said amendment (substitute) reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the law now regulating the compensation of Public Binder be so amended that he shall have, and be paid, twenty per cent. advance on all work done by him for the State, in lieu of the thirty-three per cent. now allowed on work by law. All acts in conflict herewith are hereby repealed.

§ 2. This act to have force and effect from its passage.

The Senate also proposes to amend the title so as to read,

An act in regard to Public Binder and his compensation.

The question was taken on concurring in said proposed amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McCampbell and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Alpheus W. Bascom, W. W. Deaderick, Joseph P. Foree—4.
B. E. Cassilly,

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Julian N. Phelps, |
| Wm. A. Allen, | James B. Fitzpatrick, | Lewis Potter, |
| A. C. Armstrong, | Manlius T Flippin, | John Rowan, |
| A. S. Arnold, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| W. W. Ayers, | C. P. Gray, | J. R. Sanders, |
| W. R. Bates, | Clinton Griffith, | C. C. Scales, |
| W. N. Beckham, | J. P. Hampton, | Wm. Sellers, |
| J. A. Bell, | Wm. A. Hoskins, | James W. Snyder, |
| J. C. S. Blackburn, | Thos. M. Johnson, | William Tarlton, |
| Wm. F. Bond, | T. J. Jones, | J. S. Taylor, |
| W. B. M. Brooks, | J. S. Lawson, | C. W. Threlkeld, |
| W. W. Bush, | G. W. Little, | Harry I. Todd, |
| Thomas P. Cardwell, | J. A. McCampbell, | L. W. Trafton, |
| George Carter, | Bryan S. McClure, | Joseph T. Tucker, |
| James S. Chrisman, | W. J. McElroy, | J. L. Waring, |
| C. M. Clay, jr., | M. E. McKenzie, | C. H. Webb, |
| Josiah H. Combs, | W. A. Morin, | J. M. White, |
| Wm. G. Conrad, | Wm. Mynhier, | Mordecai Williams, |
| Thomas H. Corbett, | Mat. Nunan, | F. A. Wilson, |
| J. E. Cosson, | John W. Ogilvie, | J. N. Woods—60. |

On motion of Mr. Griffith, leave was given to bring in a bill for the benefit of *femes covert* of unsound mind.

*Ordered*, That the Committee on the Judiciary prepare and bring in the same.

The House also took up a joint resolution heretofore offered by Mr. Bush, which is as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the present session of the Legislature finally adjourns, it will adjourn *sine die;* and that no extra session will be held unless called by the Executive of the State.

Mr. Tucker moved to strike out all after, and including, the word "that," where it first occurs in said resolution, and insert in lieu thereof the words "that when the two Houses of the General Assembly adjourn on the 22d day of February, 1872, they adjourn to meet again on the 1st Monday in January, 1873, at 12 o'clock, M."

On motion of Mr. Sellers,

*Ordered*, That the further consideration of said resolution and amendment be postponed until the 26th inst.

Mr. Tucker then moved to reconsider the vote by which the same were postponed.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the boundary line of Carroll aad Gallatin counties.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county,

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of South Carrollton, in Muhlenburg county;

An act to organize and establish a system of public schools in the town of Madisonville, in the county of Hopkins;

An act for the benefit of the common school commissioner of Breckinridge county;

An act to charter the town of Kuttawa, in Lyon county;

An act to amend an act, entitled "An act to incorporate the town of Pewee Valley, in Oldham county;"

An act to amend an act to incorporate the town of Smith Grove, in Warren county;

An act to amend the charter of the town of Greenupsburg;

An act to amend an act, entitled "An act to incorporate the town of Rich Pond, in Warren county;"

An act to incorporate the White Oak Turnpike Road Company, in Bath county;

An act to charter the Ludlow and Florence Turnpike Road.
An act to repeal chapter 1107 of the acts of 1871;
An act to repeal chapter 1108 of the acts of 1871;
An act to repeal chapter 1175 of the acts of 1871;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
*Ordered*, That Mr. Deaderick inform the Senate thereof.
And then the House adjourned.

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## TUESDAY, FEBRUARY 6, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Lawson—

1. The petition of sundry citizens of Robertson county, praying the passage of an act for the benefit of Benjamin Mullikin of said county.

By Mr. McKenzie—

2. The petition of certain citizens of Trigg county, praying to be allowed to purchase a house for common school purposes.

By Mr. Gray—

3. The petition of certain officers of Clinton county, praying the passage of an act to amend an act for the benefit of the common school districts of Clinton county.

By Mr. Bascom—

4. The remonstrance of citizens of Bath and Menifee counties, and others, against any amendment to the charter of the Licking River Mining and Lumber Company.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d and 3d to the Committee on Education; and the 4th to the Committee on Corporate Institutions.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gray—

1. A bill for the benefit of J. J. Wood, late sheriff of Clinton county.

On motion of same—

2. A bill to amend an act, entitled "An act for the benefit of common school districts in Clinton county."

*Ordered*, That the Committee on the Judiciary prepare and bring in the 1st; and the Committee on Education the 2d.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act authorizing the presiding judge of Nicholas county to make further subscriptions to unfinished turnpike roads in said county.

An act to amend the charter of the Bank of Kentucky.

An act to incorporate the Western German Savings Bank, of Louisville.

An act to create the office of auditor for Warren county.

An act to authorize the Cumberland county court to levy an additional poll and ad valorem tax for county purposes.

An act to authorize the county court of Green to issue bonds and levy a tax for certain purposes.

An act regulating the time of holding the quarterly courts in Nicholas county.

An act to legalize the action of the Cumberland county court in the sale of the old jail in said county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of intoxicating liquors in Benson district, in Franklin county.

An act for the benefit of V. M. Deweese, of Butler county.

An act regulating the time of holding the circuit courts in the counties of Perry, Breathitt, and Clay.

And that they had passed bills of the following titles, viz:

1. An act to amend section 29, chapter 103, Revised Statutes.

2. An act to amend an act, entitled "An act to amend the charter of the American Printing House for the Blind," approved April 3, 1861.

3. An act relating to the grounds of the charitable institutions of this Commonwealth.

4. An act to re-enact and amend an act, entitled "An act to incorporate the town of Carrsville, in Livingston county."

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Revised Statutes; the 2d and 4th to the Committee on Corporate Institutions; and the 3d to the Committee on Charitable Institutions.

A message was also received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county."

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

With amendments to each of said bills.

A message was also received from the Senate, asking leave to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend the charter of the Union and Richwood Turnpike Road Company.

Which was granted, and the bill delivered to the Senate messenger.

On motion, leave of absence, indefinitely, was granted to Mr. Moorman.

Mr. Chrisman moved to reconsider the vote by which the House of Representatives refused to concur in the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

Said motion was placed in the orders of the day.

On motion of Mr. Corbett, the House took up for consideration the amendment (substitute) proposed by the Senate to a bill, which originated in this House, entitled

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

After a time spent in debate, Mr. Blackburn moved to reconsider the vote by which said amendment was taken up.

And the question being taken on the motion of Mr. Blackburn, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blackburn and Cooper, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | John W. Ogilvie, |
| Wm. A. Allen, | C. D. Foote, | Lewis Potter, |
| A. S. Arnold, | Joseph P. Foree, | W. L. Reeves, |
| W. W. Ayers, | C. P. Gray, | E. A. Robertson, |
| Alpheus W. Bascom, | Clinton Griffith, | John Rowan, |
| W. R. Bates, | Wm. A Hoskins, | J. R. Sanders, |
| W. N. Beckham, | George M. Jessee, | C. C. Scales, |
| John A. Bell, | E. Polk Johnson, | James W. Snyder, |
| J. C. S. Blackburn, | T. M. Johnson, | J. S. Taylor, |
| Wm. F. Bond, | T. J. Jones, | Harry I. Todd, |
| W. B. M. Brooks, | J. S. Lawson, | Joseph T. Tucker, |
| W. W. Bush, | Bryan S. McClure, | E. F. Waide, |
| Robert M. Carlisle, | Wm. J. McElroy, | J. L. Waring, |
| John S. Carpenter, | M. E. McKenzie, | C. H. Webb, |
| B. E. Cassilly, | T. J. Megibben, | J. M. White, |
| James S. Chrisman, | W. A. Morin, | Mordecai Williams, |
| C. M. Clay, jr., | Wm. Mynhier, | F. A. Wilson, |
| J. Guthrie Coke, | J. L. Nall, | J. M. Wright—55. |
| R. L. Cooper, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | W. H. Evans, | Julian N. Phelps, |
| Thomas P. Cardwell, | James B. Fitzpatrick, | Hiram S. Powell, |
| Josiah H. Combs, | Manlius T. Flippin, | J. P. Sacksteder, |
| Wm. G. Conrad, | J. P. Hampton, | William Sellers, |
| Thomas H. Corbett, | G. W. Little, | C. W. Threlkeld, |
| J. E. Cosson, | J. A. McCampbell, | T. W. Varnon, |
| John W. Dyer, | Mat. Nunan, | J. N. Woods—21. |

And so said vote was reconsidered.

On motion of Mr. Blackburn, said amendments were referred to the Committee on Railroads, with instructions to report thereon on Thursday, 8th inst., at 10¼ o'clock, A. M.

On motion of Mr. Blackburn,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage, by this House, of bills of the following titles, viz:

An act to amend the charter of the Elizabethtowu and Paducah Railroad Company.

An act to incorporate the Contracting and Building Company.

The message being communicated to the Senate, said bills were returned and laid on the Clerk's table.

On motion of Mr. Blackburn, the votes by which said bills were ordered to be read a third time, and by which said bills were passed

by this House, were reconsidered, and the said bills referred to the Committee on Railroads.

A message was received from the Governor by Mr. Samuels, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to organize and establish a system of public schools in the town of Madisonville, in the county of Hopkins.

An act to charter the town of Kuttawa, in Lyon county.

An act to charter the Ludlow and Florence Turnpike Road.

An act to incorporate the White Oak Turnpike Road Company, in Bath county.

An act for the benefit of the common school commissioner of Breckinridge county.

An act to repeal chapter 1175 of the acts of 1871.

An act to repeal chapter 1107 of the acts of 1871.

An act to amend the charter of the town of Greenupsburg.

An act to amend the charter of the town of South Carrollton, in Muhlenburg county.

An act to amend an act, entitled "An act to incorporate the town of Pewee Valley, in Oldham county."

An act to amend an act, entitled "An act to incorporate the town of Rich Pond, in Warren county."

An act to repeal chapter 1108 of the acts of 1871.

The House, according to order, took up for further consideration a bill from the Senate, entitled

An act to amend the charter of the Kentucky and Great Eastern Railway Company,

And the amendments proposed thereto.

On motion of Mr. Cooper, said bill and amendments were recommitted to the Committee on Railroads.

The House took up the resolution heretofore offered, entitled

Resolution relating to expenses incurred in the Williams-Culbertson contested election case.

Mr. Corbett offered an amendment to said resolution, which was adopted.

Said resolution, as amended, reads as follows, viz :

*Resolved*, That the committee in the Williams-Culbertson contested election case be directed to report the expenses incurred to this House.

Said resolution, as amended, was then adopted.

The House then took up a joint resolution from the Senate, entitled

Resolution calling on the Auditor for information relative to receipts and disbursements within a given period.

Said resolution was concurred in.

On motion of Mr. Reeves, the rule requiring a motion to reconsider a vote to be made within three days thereafter was suspended; and thereupon he moved to reconsider the votes, respectively, by which this House refused to order to be read a third time bills from the Senate of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4, 1865.

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4, 1865.

And the question being taken thereon, it was decided in the affirmative.

Each of said votes were reconsidered.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Anderson,

*Ordered*, That said bill be printed, and its further consideration postponed to, and made the special order of the day for, Tuesday, 13th inst., at 11 o'clock, A. M.

Mr. Wright, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 15, chapter 24, of the Revised Statutes, title "Conveyances."

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 15, of chapter 24, of the Revised Statutes, title

"Conveyances," be, and the same is hereby, so amended as to read as follows: "Deeds made by residents of Kentucky, other than deeds of trust and mortgages, shall not be good against a purchaser for a valuable consideration not having notice thereof, or any creditor, except from the time the same shall be legally acknowledged or proved and lodged for record, unless the same be so lodged within three months from the date thereof. If made by persons residing out of Kentucky, and in the United States, within six months. If out of the United States within nine months."

§ 2. This act shall take effect from its passage.

*Ordered*, That said bill be read second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage thereof, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Corbett and Ferguson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | M. Woods Ferguson, | J. P. Sacksteder, |
| W. R. Bates, | C. D. Foote, | J. R. Sanders, |
| W. N. Beckham, | E. Polk Johnson, | William Sellers, |
| W. B. M. Brooks, | J. S. Lawson, | Harry I. Todd, |
| W. W. Bush, | G. W. Little, | Joseph T. Tucker, |
| J. Guthrie Coke, | T. J. Megibben, | T. W. Varnon, |
| Wm. G. Conrad, | Julian N. Phelps, | J. N. Woods—23. |
| R. L. Cooper, | Lewis Potter, | |

Those who voted in the negative were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Wm. Mynhier, |
| Wm. A. Allen, | W. W. Deaderick, | J. L. Nall, |
| George W. Anderson, | John W. Dyer, | Mat. Nunan, |
| A. S. Arnold, | W. H. Evans, | John W. Ogilvie, |
| W. W. Ayers, | Manlius T. Flippin, | Hiram S. Powell, |
| R. Tarv. Baker, | Joseph P. Foree, | W. L. Reeves, |
| Alpheus W. Bascom, | C. P. Gray, | E. A. Robertson, |
| John A. Bell, | Clinton Griffith, | John Rowan, |
| J. C. S. Blackburn, | J. P. Hampton, | C. C. Scales, |
| Wm. F. Bond, | Wm. A. Hoskins, | James W. Snyder, |
| Thomas P. Cardwell, | George M. Jessee, | J. S. Taylor, |
| Robert M. Carlisle, | Thos. M. Johnson, | C. W. Threlkeld, |
| John S. Carpenter, | T. J. Jones, | E. F. Waide, |
| B. E. Cassily, | J. A. McCampbell, | J. L. Waring, |
| James S. Chrisman, | Bryan S. McClure, | C. H. Webb, |

C. M. Clay, jr., Wm. J. McElroy, J. M. White,
Josiah H. Combs, M. E. McKenzie, Mordecai Williams,
Thomas H. Corbett, W. A. Morin, F. A. Wilson—55.
J. E. Cosson,

And so said bill was rejected.

Mr. Tucker, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend chapter 28, article 25, of the Revised Statutes.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be recommitted to a select committee consisting of Messrs. Baker, Blackburn, Tucker, and E. Polk Johnson.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Bates, from the Committee on the Revised Statutes—

A bill to amend an act, entitled "An act to amend the road law in Bracken county."

By same—

A bill authorizing the clerk of the Harrison circuit court to complete and continue a cross-index to judgments.

By same—

A bill to repeal an act, entitled "An act to amend an act to establish the town of Frederick, in Barren county."

By Mr. Wright, from the same committee—

A bill to amend section 2, article 5, chapter 32, of the Revised Statutes.

By Mr. Tucker, from the same committee—

A bill to repeal chapter 853 of the acts approved at the session of 1869–'70.

By same—

A bill to amend the charter of the Kentucky River Turnpike Road Company.

By same—

A bill to amend an act to incorporate the Clark County Agricultural Association.

By same—

A bill for the benefit of the Winchester and Red River Iron Works Turnpike Road Company, and the Schollsville branch of said road.

By same—

A bill requiring the circuit and county court clerks of Montgomery to index and cross-index certain records, and prescribing the manner of payment for performing such work.

By same—

A bill for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. T. M. Johnson read and laid on the table the following preamble and joint resolution, viz:

WHEREAS, A large number of copies of Owen's Geological Survey of Kentucky is now held by the State, at a considerable expense to the State for storage room; and whereas, said books are valueless to any person in their present location, and subject to damage and loss.

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State be, and he is hereby, instructed to deposit in the State Library as many copies of Owen's Geological Survey of Kentucky, now on storage in Frankfort, as the Librarian has room for, and distribute the remainder of said books among the members of the present General Assembly—one half to each branch thereof. The books so distributed shall be disposed of by the members as follows: one copy shall be placed in the office of the county court clerk of each county in the State, and the remainder distributed according to the judgment of those to whom the books are intrusted. The books distributed among the members of the General Assembly, as herein provided, shall be duly wrapped and stamped, ready for mailing.

The rules being suspended, the same was taken up, twice read, and adopted.

The House took up from the orders of the day, and proceeded with the further consideration of

A bill to amend section 1, article 17, chapter 38, of the Revised Statutes.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That paragraph 2, section 1, article 17, chapter 38, of the Revised Statutes, entitled "Fees," be, and the same is hereby, amended by inserting after the word "January" the words "or July."

§ 2. The fees now allowed by law to officers for collecting fee bills shall be paid by the party owing the fee bill, and shall be collectable as other fees.

§ 3. This act shall take effect from its passage.

Mr. Corbett moved to amend said bill by striking out the 2d section thereof.

And the question being taken on the amendment of Mr. Corbett, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Corbett and Foote, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | George M. Jessee, | John W. Ogilvie, |
| Thomas P. Cardwell, | T. M. Johnson, | E. A. Robertson, |
| James S. Chrisman, | T. J. Jones, | Wm. Sellers, |
| Thomas H. Corbett, | G. W. Little, | James W. Snyder, |
| Manlius T. Flippin, | Bryan S. McClure, | J. S. Taylor, |
| C. D. Foote, | William J. McElroy, | T. W. Varnon, |
| Joseph P. Foree, | T. J. Megibben, | J. L. Waring, |
| Clinton Griffith, | Mat. Nunan, | J. N. Woods—24. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Josiah H. Combs, | J. L. Nall, |
| George W. Anderson, | Wm. G. Conrad, | Julian N. Phelps, |
| A. C. Armstrong, | R. L. Cooper, | Lewis Potter, |
| A. S. Arnold, | J. E. Cosson, | Hiram S. Powell, |
| W. W. Ayers, | Joseph M. Davidson, | W. L. Reeves, |
| R. Tarv. Baker, | W. W. Deaderick, | John Rowan, |
| Alpheus W. Bascom, | John W. Dyer, | J. P. Sacksteder, |
| W. R. Bates, | W. H. Evans, | C. C. Scales, |
| W. N. Beckham, | M. Woods Ferguson, | C. W. Threlkeld, |
| John A. Bell, | James B. Fitzpatrick, | Harry I. Todd, |
| J. C. S. Blackburn, | C. P. Gray, | L. W. Trafton, |
| Wm. F. Bond, | Wm. A. Hoskins, | Joseph T. Tucker, |
| W. B. M. Brooks, | E. Polk Johnson, | E. F. Waide, |
| W. W. Bush, | J. S. Lawson, | C. H. Webb, |
| Robert M Carlisle, | J. A. McCampbell, | J. M. White, |
| John S. Carpenter, | M. E. McKenzie, | Mordecai Williams, |
| B. E. Cassilly, | W. A. Morin, | F. A. Wilson, |
| C. M. Clay, jr., | Wm. Mynhier, | J. M. Wright—55. |
| J. Guthrie Coke, | | |

And so said amendment was rejected.

Mr. Foote then offered the following amendment: add to 2d section, viz:

*Provided*, That all fee bills shall first be presented for payment before they are put into the officer's hands for collection.

And the question being taken on the adoption of the amendment proposed by Mr. Foote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Foote and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. D. Foote, | Lewis Potter, |
| A. C. Armstrong, | Joseph P. Foree, | E. A. Robertson, |
| W. W. Ayers, | George M. Jessee, | John Rowan, |
| John A. Bell, | T. J. Jones, | C. C. Scales, |
| W. B. M Brooks, | G. W. Little, | Wm. Sellers, |
| Thomas P. Cardwell, | Bryan S. McClure, | James W. Snyder, |
| B. E. Cassilly, | William J. McElroy, | J. S. Taylor, |
| James S. Chrisman, | T. J. Megibben, | C. W. Threlkeld, |
| Thomas H. Corbett, | Mat. Nunan, | T. W. Varnon, |
| W. W. Deaderick, | John W. Ogilvie, | C. H. Webb, |
| Manlius T. Flippin, | Julian N. Phelps, | J. N. Woods—33. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | J. E. Cosson, | Wm. Mynhier, |
| George W. Anderson, | Joseph M. Davidson, | J. L. Nall, |
| A. S. Arnold, | John W. Dyer, | Hiram S. Powell, |
| R. Tarv. Baker, | W. H. Evans, | W. L. Reeves, |
| Alpheus W. Bascom, | M. Woods Ferguson, | J. P. Sacksteder, |
| W. R. Bates, | James B. Fitzpatrick, | J. R. Sanders, |
| J. C. S. Blackburn, | C. P. Gray, | Harry I. Todd, |
| Wm. F. Bond, | Clinton Griffith, | L. W. Trafton, |
| W. W. Bush, | Wm. A. Hoskins, | Joseph T. Tucker, |
| Robert M. Carlisle, | E. Polk Johnson, | E. F. Waide, |
| John S. Carpenter, | T. M. Johnson, | J. L. Waring, |
| C. M. Clay, jr., | J. S. Lawson, | J. M. White, |
| J. Guthrie Coke, | J. A. McCampbell, | Mordecai Williams, |
| Josiah H. Combs, | M. E. McKenzie, | F. A. Wilson, |
| William G. Conrad, | W. A. Morin, | J. M. Wright—46. |
| R. L. Cooper, | | |

And so said amendment was rejected.

Mr. Chrisman then, at ten minutes before two o'clock, P. M., moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | Mat. Nunan, |
| A. C. Armstrong, | W. W. Deaderick, | John W. Ogilvie, |
| W. W. Ayers, | C. D. Foote, | Hiram S. Powell, |

John A. Bell, George M. Jessee, William Sellers,
Wm. F. Bond, T. J. Jones, James W. Snyder,
Thomas P. Cardwell, William J. McElroy, T. W. Varnon—20.
James S. Chrisman, T. J. Megibben,

Those who voted in the negative, were—

Wm. A. Allen, W. H. Evans, W. L. Reeves,
George W. Anderson, M. Woods Ferguson, E. A. Robertson,
A. S. Arnold, James B. Fitzpatrick, John Rowan,
R. Tarv. Baker, Manlius T. Flippin, J. P. Sacksteder,
Alpheus W. Bascom, Joseph P. Foree, J. R. Sanders,
W. R. Bates, C. P. Gray, C. C. Scales,
J. C. S. Blackburn, Clinton Griffith, J. S. Taylor,
W. B. M. Brooks, Wm. A. Hoskins, C. W. Threlkeld,
W. W. Bush, E. Polk Johnson, Harry I. Todd,
Robert M. Carlisle, T. M. Johnson, L. W. Trafton,
John S. Carpenter, J. S. Lawson, Joseph T. Tucker,
B. E. Cassilly, G. W. Little, E. F. Waide,
C. M. Clay, jr., J. A. McCampbell, J. L. Waring,
J. Guthrie Coke, Bryan S. McClure, C. H. Webb,
Josiah H. Combs, M. E. McKenzie, J. M. White,
William G. Conrad, W. A. Morin, Mordecai Williams,
R. L. Cooper, Wm. Mynhier, F. A. Wilson,
J. E. Cosson, J. L. Nall, J. N. Woods,
Joseph M. Davidson, Julian N. Phelps, J. M. Wright—59.
John W. Dyer, Lewis Potter,

And so the House refused to adjourn at that hour.

Mr. Blackburn then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Foote and Baker, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, Josiah H. Combs, Lewis Potter,
A. S. Arnold, Wm. G. Conrad, W. L. Reeves,
W. W. Ayers, J. E. Cosson, J. P. Sacksteder,
R. Tarv. Baker, Joseph M. Davidson, J. R. Sanders,
Alpheus W. Bascom, John W. Dyer, C. W. Threlkeld,
W. R. Bates, W. H. Evans, Harry I. Todd,
John A. Bell, M. Woods Ferguson, L. W. Trafton,
J. C. S. Blackburn, James B. Fitzpatrick, Joseph T. Tucker,
Wm. F. Bond, C. P. Gray, E. F. Waide,
W. B. M. Brooks, E. Polk Johnson, J. L. Waring,
W. W. Bush, J. S. Lawson, C. H. Webb,
Robert M. Carlisle, J. A. McCampbell, Mordecai Williams,
John S. Carpenter, W. A. Morin, F. A. Wilson,
C. M. Clay, jr., J. L. Nall, J. M. Wright—44.
J. Guthrie Coke, Julian N. Phelps,

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Clinton Griffith, | John W. Ogilvie, |
| Wm. A. Allen, | Wm. A Hoskins, | Hiram S. Powell, |
| A. C. Armstrong, | George M. Jessee, | E. A. Robertson, |
| B. E. Cassilly, | T. M. Johnson, | John Rowan, |
| James S. Chrisman, | T. J. Jones, | C. C. Scales, |
| R. L. Cooper, | Bryan S. McClure, | William Sellers, |
| Thomas H. Corbett, | Wm. J. McElroy, | James W. Snyder, |
| W. W. Deaderick, | M. E. McKenzie, | J. S. Taylor, |
| Manlius T. Flippin, | T. J. Megibben, | T. W. Varnon, |
| C. D. Foote, | Wm. Mynhier, | J. M. White, |
| Joseph P. Foree, | Mat. Nunan, | J. N. Woods—33. |

And so the main question was ordered.

And the main question being put, it was

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Western Tobacco Bank and Warehouse Company;

An act to incorporate Uniontown, Princeton, and Southern Railroad Company;

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the court-house in Edmonton;

An act to amend an act, entitled "An act to incorporate the Stove, Grate, and Mantel Manufacturing Company," approved March 15th, 1869;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth;

An act to incorporate the trustees of the Presbyterian Church of Augusta;

An act prohibiting the vending of ardent, malt, or vinous spirits in the second magisterial district, in Mercer county;

An act to incorporate the Riverton Iron and Mining Company;

An act to amend an act, entitled "An act to incorporate the Salt Lick, Esculapia, and Mt. Carmel Turnpike Road Company;"

An act to amend the charter of the Board of Internal Improvement for Anderson county;

An act to incorporate the Stoner Run and Kentucky River Turnpike Road, in Madison county;

An act to amend the charter of the Newport and Dayton Turnpike Company;

An act to legalize certain orders of the Mercer county court;

An act authorizing the indexing of the order-books of the Mercer county court;

An act to amend an act, entitled "An act to authorize the Henderson county court to raise money by an ad valorem tax and issuing bonds," approved February 27th, 1867.

An act for the benefit of district No. 3, in McLean county.

An act concerning the county levy and taxation in Livingston county.

An act to amend the charter of the Dry Creek and Covington Turnpike Company.

An act to amend an act, entitled "An act to authorize the Elliott county court to levy an additional tax for county purposes," approved March 8, 1870.

An act to change the time of holding the county and quarterly courts of Perry county.

An act to change the time of holding the county and quarterly courts of Letcher county.

An act to amend an act re-establishing the court of common pleas in Hickman county, in the first judicial district.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

And then the House adjourned.

## WEDNESDAY, FEBRUARY 7, 1872.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, of the following title, viz:

Resolution instructing our Senators and requesting our Representatives in Congress, to secure an appropriation for locking and damming the Ohio river.

That they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the boundary line of Carroll and Gallatin counties.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Augusta and Minerva Turnpike Road Company, in Bracken county.

An act for the benefit of Augusta and Dover Turnpike Road Company.

An act to legalize the subscription of stock to the New Castle and Kentucky River Turnpike Road Company by the court of claims of Henry county.

An act for the benefit of common school district No. 12, in Woodford county.

An act to authorize the county court of Hancock county to levy taxes to build bridges and work roads in said county.

An act in relation to the levy court of Spencer county.

An act to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges.

An act in relation to delinquent tax-payers in Union county.

An act to re-run and mark the dividing line between the counties of Hancock and Ohio.

An act to incorporate the Henderson Bridge Company.

An act to amend the police court in the town of Hickman.

With an amendment (substitute) to the last named bill.

And that they had passed bills of the following titles, viz :

1. An act supplemental to an act, entitled "An act for the benefit of Knox county."

2. An act for the benefit of John M. Thomas, of Grayson county.

3. An act authorizing an additional examiner in the town of Ashland, in Boyd county.

4. An act to incorporate Beall's Branch Railway Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 2d to the Committee on Ways and Means; the 3d to the Committee on Circuit Courts; and the 4th to the Committee on Railroads.

Mr. Baker, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water works," approved January 26, 1871.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And the passage of said bill by this House being communicated to the Senate, after a time a message was received therefrom, announcing that they had passed said bill.

The following petitions and remonstrances were presented, viz:

By Mr. Carlisle—

1. The petition of citizens of Kenton county, praying the passage of an act therein named in regard to fencing lands ; and a remonstrance of other citizens of said county against its passage.

By Mr. Moorman—

2. The petition of citizens of Paradise, Muhlenburg county, praying the passage of an act to allow John H. Boggess to keep a coffee-

house therein; and the remonstrance of other citizens of said town against the passage thereof.

By Mr. Brooks—

3. The petition of certain citizens of Bullitt county, praying the repeal of a certain act with regard to the sale of liquors in said county; and the remonstrance of certain other citizens of said county against its repeal.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures; the 2d to the Committee on Religion; and the 3d to the Committee on Propositions and Grievances.

Mr. Foote moved to reconsider the vote by which this House, on yesterday, passed a bill, enitled

A bill to amend section 1, article 17, chapter 38, of the Revised Statutes.

Mr. Bascom moved to lay the motion to reconsider on the table.

And the question being taken on the motion of Mr. Bascom, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Foote and Evans, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Joseph M. Davidson, | W. A. Morin, |
| A. S. Arnold, | W. W. Deaderick, | W. L. Reeves, |
| R. Tarv. Baker, | John W. Dyer, | John P. Rowlett, |
| Alpheus W. Bascom, | M. Woods Ferguson, | J. P. Sacksteder, |
| W. W. Bush, | E. Polk Johnson, | Harry I. Todd, |
| J. Guthrie Coke, | G. W. Little, | L. W. Trafton, |
| Josiah H. Combs, | J. J. McAfee, | Joseph T. Tucker, |
| R. D. Cook, | J. A. McCampbell, | Mordecai Williams, |
| J. E. Cosson, | M. E. McKenzie, | J. M. Wright—27. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Manlius T. Flippin, | John W. Ogilvie, |
| Wm. A. Allen, | C. D. Foote, | Julian N. Phelps, |
| A. C. Armstrong, | Joseph P. Foree, | Lewis Potter, |
| W. W. Ayers, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| G. W. Bailey, | E. A. Graves, | E. A. Robertson, |
| W. R. Bates, | C. P. Gray, | John Rowan, |
| W. N. Beckham, | J. P. Hampton, | J. R. Sanders, |
| John A. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| Wm. F. Bond, | George M. Jessee, | Wm. Sellers, |
| W. B. M. Brooks, | T. M. Johnson, | James W. Snyder, |
| Thomas P. Cardwell, | T. J. Jones, | J. S. Taylor, |
| Robert M. Carlisle, | J. S. Lawson, | C. W. Threlkeld, |
| John S. Carpenter, | Bryan S. McClure, | T. W. Varnon, |

| | | |
|---|---|---|
| George Carter, | Wm. J. McElroy, | E. F. Waide, |
| B. E. Cassilly, | T. J. Megibben, | C. H. Webb, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| C. M. Clay, jr., | Wm. Mynhier, | F. A. Wilson, |
| Wm. G. Conrad, | J. L. Nall, | J. N. Woods, |
| Walter Evans, | Mat. Nunan, | S. H. Woolfolk—58. |
| W. H. Evans, | | |

The question was then taken on the motion to reconsider the vote by which said bill was passed, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James Garnett, | Lewis Potter, |
| Wm. A. Allen, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| A. C. Armstrong, | E. A. Graves, | E. A. Robertson, |
| W. W. Ayers, | C. P. Gray, | John Rowan, |
| W. N. Beckham, | J. P. Hampton, | John P. Rowlett, |
| J. A. Bell, | Wm. A. Hoskins, | J. R. Sanders, |
| J. C. S. Blackburn, | George M. Jessee, | C. C. Scales, |
| Wm. F. Bond, | Thos. M. Johnson, | Wm. Sellers, |
| W. B. M. Brooks, | T. J. Jones, | James W. Snyder, |
| Thomas P. Cardwell, | J. S. Lawson, | William Tarlton, |
| Robert M. Carlisle, | G. W. Little, | J. S. Taylor, |
| John S. Carpenter, | Bryan S. McClure, | C. W. Threlkeld, |
| George Carter, | W. J. McElroy, | T. W. Varnon, |
| James S. Chrisman, | T. J. Megibben, | E. F. Waide, |
| C. M. Clay, jr., | J. C. Moorman, | C. H. Webb, |
| Wm. G. Conrad, | Wm. Mynhier, | J. M. White, |
| Walter Evans, | J. L. Nall, | F. A. Wilson, |
| W. H. Evans, | Mat. Nunan, | Jonas D. Wilson, |
| Manlius T Flippin, | John W. Ogilvie, | J. N. Woods, |
| C. D. Foote, | Julian N. Phelps, | S. H. Woolfolk—61. |
| Joseph P. Foree, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | R. D. Cook, | J. A. McCampbell, |
| A. S. Arnold, | R. L. Cooper, | W. A. Morin, |
| R. Tarv. Baker, | J. E. Cosson, | W. L. Reeves, |
| Alpheus W. Bascom, | Joseph M. Davidson, | J. P. Sacksteder, |
| W. R. Bates, | John W. Dyer, | Harry I. Todd, |
| W. W. Bush, | M. Woods Ferguson, | L. W. Trafton, |
| J. Guthrie Coke, | E. Polk Johnson, | Mordecai Williams, |
| Josiah H. Combs, | J. J. McAfee, | Joseph T. Tucker—24. |

And so said vote was reconsidered.

Said bill was placed in the orders of the day.

On motion of Mr. Griffith, leave was given to bring in a bill to amend an act authorizing the sale of real estate and slaves in which there is a future contingent interest.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the same.

On motion of Mr. Hoskins,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by this House of a bill of the following title, viz:

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

Said message being delivered to the Senate, said bill was withdrawn therefrom and laid on the Clerk's table.

Mr. Baker moved to reconsider the vote by which this House, on yesterday, rejected a bill, entitled

A bill to amend section 15, chapter 24, of the Revised Statutes, title "Conveyances."

The House then, according to order, took up the resolution heretofore offered by Mr. McClure in relation to reform and reduction of salaries, &c.

Mr. Foote moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McClure and Baker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | C. M. Clay, jr., | T. J. Jones, |
| George W. Anderson, | J. Guthrie Coke, | J. S. Lawson, |
| A. S. Arnold, | Josiah H. Combs, | W. A. Morin, |
| R. Tarv. Baker, | R. L. Cooper, | E. A. Robertson, |
| W. N. Beckham, | Joseph M. Davidson, | L. W. Trafton, |
| J. C. S. Blackburn, | Walter Evans, | Joseph T. Tucker, |
| W. W. Bush, | M. Woods Ferguson, | E. F. Waide, |
| John S. Carpenter, | C. D. Foote, | Mordecai Williams, |
| B. E. Cassily, | E. Polk Johnson, | J. M. Wright—28. |
| James S. Chrisman, | | |

Those who voted in the negative were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | E. A. Graves, | Hiram S. Powell, |
| A. C. Armstrong, | C. P. Gray, | W. L. Reeves, |
| Alpheus W. Bascom, | Clinton Griffith, | John Rowan, |
| W. R. Bates, | J. P. Hampton, | John P. Rowlett, |
| John A. Bell, | Wm. A. Hoskins, | J. R. Sanders, |
| Wm. F. Bond, | George M. Jessee, | C. C. Scales, |
| W. B. M. Brooks, | Thos. M. Johnson, | William Sellers, |
| Thomas P. Cardwell, | G. W. Little, | James W. Snyder, |
| Robert M. Carlisle, | J. A. McCampbell, | Wm. Tarlton, |
| George Carter, | Bryan S. McClure, | J. S. Taylor, |

| | | |
|---|---|---|
| Wm. G. Conrad, | Wm. J. McElroy, | C. W. Threlkeld, |
| R. D. Cook, | M. E. McKenzie, | Harry I. Todd, |
| Thomas H. Corbett, | T. J. Megibben, | T. W. Varnon, |
| J. E. Cosson, | J. C. Moorman, | J. L. Waring, |
| W. W. Deaderick, | Wm. Mynhier, | C. H. Webb, |
| John W. Dyer, | J. L. Nall, | J. M. White, |
| W. H. Evans, | Mat. Nunan, | F. A. Wilson, |
| Manlius T. Flippin, | John W. Ogilvie, | Jonas D. Wilson, |
| James Garnett, | Julian N. Phelps, | J. N. Woods—59. |
| Wm. Cassius Goodloe, | Lewis Potter, | |

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McClure and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Walter Evans, | Mat. Nunan, |
| Wm. A. Allen, | W. H. Evans, | John W. Ogilvie, |
| A. C. Armstrong, | M. Woods Ferguson, | Julian N. Phelps, |
| W. W. Ayers, | Manlius T. Flippin, | Lewis Potter, |
| R. Tarv. Baker, | Joseph P. Foree, | Hiram S. Powell, |
| Alpheus W. Bascom, | James Garnett, | W. L. Reeves, |
| W. R. Bates, | Wm. Cassius Goodloe, | E. A. Robertson, |
| W. N. Beckham, | E. A. Graves, | John Rowan, |
| John A. Bell, | C. P. Gray, | John P. Rowlett, |
| J. C. S. Blackburn, | Clinton Griffith, | J. R. Sanders, |
| Wm. F. Bond, | J. P. Hampton, | C. C. Scales, |
| W. B. M. Brooks, | Wm. A. Hoskins, | Wm. Sellers, |
| W. W. Bush, | T. M. Johnson, | James W. Snyder, |
| Thomas P. Cardwell, | T. J. Jones, | Wm. Tarlton, |
| Robert M. Carlisle, | J. S. Lawson, | J. S. Taylor, |
| George Carter, | G. W. Little, | C. W. Threlkeld, |
| James S. Chrisman, | J. A. McCampbell, | Harry I. Todd, |
| C. M. Clay, jr., | Bryan S. McClure, | T. W. Varnon, |
| Josiah H. Combs, | William J. McElroy, | J. L. Waring, |
| Wm. G. Conrad, | M. E. McKenzie, | C. H. Webb, |
| R. D. Cook, | T. J. Megibben, | J. M. White, |
| Thomas H. Corbett, | J. C. Moorman, | F. A. Wilson, |
| J. E. Cosson, | Wm. Mynhier, | Jonas D. Wilson, |
| W. W. Deaderick, | J. L. Nall, | J. N. Woods—73. |
| John W. Dyer, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | Joseph M. Davidson, | L. W. Trafton, |
| A. S. Arnold, | C. D. Foote, | Joseph T. Tucker, |
| John S. Carpenter, | E. Polk Johnson, | E. F. Waide, |
| B. E. Cassilly, | J. J. McAfee, | Mordecai Williams, |
| J. Guthrie Coke, | W. A. Morin, | S. H. Woolfolk, |
| R. L. Cooper, | J. P. Sacksteder, | J. M. Wright—18. |

And so said resolution was adopted.

According to order, the House took up for further consideration a bill, entitled

A bill for the appointment of official reporters and for the preservation of evidence in certain cases in Jefferson county.

Mr. Bush offered an amendment, which was adopted.

Mr. Garnett also offered an amendment to said bill.

Pending its consideration, the hour of 12 o'clock, M., arrived; and thereupon Mr. Bush moved to dispense with the orders of the day to continue the consideration of this bill.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Jessee, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | William G. Conrad, | Julian N. Phelps, |
| George W. Anderson, | R. L. Cooper, | Lewis Potter, |
| A. C. Armstrong, | W. W. Deaderick, | W. L. Reeves, |
| A. S. Arnold, | John W. Dyer, | John P. Rowlett, |
| R. Tarv. Baker, | Walter Evans, | J. P. Sacksteder, |
| Alpheus W. Bascom, | M. Woods Ferguson, | C. C. Scales, |
| W. R. Bates, | C. P. Gray, | Wm. Tarlton, |
| John A. Bell, | Clinton Griffith, | C. W. Threlkeld, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | Harry I. Todd, |
| Wm. F. Bond, | E. Polk Johnson, | L. W. Trafton, |
| W. B. M Brooks, | T. M. Johnson, | T. W. Varnon, |
| W. W. Bush, | J. J. McAfee, | J. L. Waring, |
| John S. Carpenter, | J. A. McCampbell, | C. H. Webb, |
| B. E. Cassilly, | Bryan S. McClure, | J. M. White, |
| James S. Chrisman, | T. J. Megibben, | Mordecai Williams, |
| J. Guthrie Coke, | J. C. Moorman, | J. N. Woods, |
| Josiah H. Combs, | J. L. Nall, | J. M. Wright—51. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. D. Foote, | Hiram S. Powell, |
| W. W. Ayers, | Wm. Cassius Goodloe, | E. A. Robertson, |
| Thomas P. Cardwell, | E. A. Graves, | John Rowan, |
| Robert M. Carlisle, | J. P. Hampton, | J. R. Sanders, |
| George Carter, | George M. Jessee, | Wm. Sellers, |
| C. M. Clay, jr., | J. S. Lawson, | James W. Snyder, |
| R. D. Cook, | G. W. Little, | J. S. Taylor, |
| Thomas H. Corbett, | William J. McElroy, | Joseph T. Tucker, |
| J. E. Cosson, | M. E. McKenzie, | E. F. Waide, |
| Joseph M. Davidson, | Wm. Mynhier, | F. A. Wilson, |
| W. H. Evans, | Mat. Nunan, | Jonas D. Wilson, |
| Manlius T. Flippin, | John W. Ogilvie, | S. H. Woolfolk—36. |

And so the House refused to suspend the orders of the day.

The House then took up from the orders of the day the amendment proposed by the Senate to a bill which originated in this House, entitled

An act for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

Said amendment was concurred in, and the title of said bill changed so as to read,

An act to amend the act of March 21, 1871, for the benefit of late clerks and other officers.

The House then took up the motion to reconsider the vote by which this House passed a bill from the Senate, entitled

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

Mr. W. Evans moved to lay the motion to reconsider said vote on the table.

And the question being taken thereon, it was decided in the affirmative.

So the motion to reconsider was laid on the table.

*Ordered*, That the Clerk report said bill to the Senate as passed by this House.

The House took up the motion heretofore made to reconsider the vote by which this House, on a former day, passed a bill, entitled

An act for the benefit of common school district No. 47, in Marion county.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

The question was then taken on the passage of said bill, and it was decided in the negative.

And so said bill was rejected.

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to provide for voting by ballot in the election of Representatives in Congress.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. W. Evans,

*Ordered*, That said bill be printed, and its further consideration

postponed to, and made the special order of the day for, Tuesday, 13th inst., at 11 o'clock, A. M.

The House then took up for further consideration a bill from the Senate, entitled.

An act repealing an act approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies,"

With the amendment proposed thereto.

Pending debate thereon, on motion,

The House adjourned.

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## THURSDAY, FEBRUARY 8, 1872.

The following petitions and remonstrances were presented, viz:

By Mr. Brooks—

1. The petition of sundry citizens of Bullitt county, praying the re-enactment of a law known as the "Fox Scalp Law," or for a repeal of the law taxing fox hounds.

By same—

2. The remonstrance of certain citizens of same county, against the submission of a question with regard to retailing spirits in said county to the voters of said county.

By Mr. White—

3. The petition of certain citizens of Grayson county, praying the repeal of an act prohibiting the sale of spirituous liquors within said town, or within two miles thereof.

By same—

4. The remonstrance of certain citizens of same county, against the repeal of said act.

By Mr. McKenzie—

5. The petition of citizens of Trigg county, praying the passage of an act to allow a change in the line of the State road.

By Mr. Taylor—

6. The petition of divers citizens of Ohio county, praying the pas-

sage of an act creating an additional voting and justices' district in said county.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Propositions and Grievances; the 3d and 4th to the Committee on Religion; the 5th to the Committee on County Courts; and the 6th to the Committee on the Judiciary.

Mr. Blackburn moved to reconsider the vote by which this House passed a bill, entitled

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

Said motion was placed in the orders of the day.

The House then took up the amendment (substitute) proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, to-wit:

An act to amend the police court in the town of Hickman.

Said amendment (substitute) was concurred in, and the title of said bill changed so as to read,

An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county.

Leave was given to bring in the following bills, viz:

On motion of Mr. Foote—

1. A bill to amend chapter 84, of the Revised Statutes, title "Roads and Passways."

On motion of same—

2. A bill to authorize a chancellor to order a survey of land.

On motion of Mr. Rowlett—

3. A bill to incorporate Needham Lodge, No. 174, I. O. G. T., at Caverna.

On motion of Mr. Griffith—

4. A bill to repeal the fishing laws of Green and Barren rivers, so far as they apply to Martin's creek or Hurricane Slough, of Daviess county.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st; the Committee on the Judiciary the 2d; the Committee on Corporate Institutions the 3d; and the Committee on County Courts the 4th.

Under the resolution of Mr. McClure, in regard to reform and the reduction of salaries, before adopted by the House of Representatives, the Speaker appointed the following committee, viz: Messrs.

Arnold, W. Evans, Blakey, McClure, Ferguson, Scales, J. A. Bell, Fitzpatrick, and Davidson.

Mr. Garnett, from the Committee on Revised Statutes, to whom was recommitted

A bill to prevent persons from interfering so as to induce laborers or servants to abandon their contracts, or to employ such without the consent of their original employer before the expiration of the contract, &c.,

With the amendments proposed thereto.

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was rejected.

Mr. Foote then moved to reconsider the vote by which said bill was rejected.

Mr. Garnett, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 2d, article 7, chapter 83, of the Revised Statutes,

With the expression of the opinion of a majority of the committee that said bill ought not to pass.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be recommitted to the select committee heretofore raised on the subject of a revision of the revenue laws.

Mr. Blackburn, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company,"

Reported the same without amendment, and with the expression of opinion that said bill ought to be disagreed to.

Mr. Bascom offered a substitute by way of amendment to said bill.

*Ordered*, That said substitute be printed, and that said bill and substitute be postponed to, and made the special order of the day for, Thursday, 15th inst., at 10½ o'clock, A. M.

Mr. Varnon, from the Committee on Codes of Practice, who were directed to prepare and bring in the same, reported

A bill to amend section 329 of the Civil Code of Practice.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

On motion of Mr. Wright,

*Ordered*, That said bill be printed and placed in the orders of the day.

Mr. Varnon, from the Committee on Codes of Practice, to whom was referred a bill from the Senate, entitled

An act amending article 5, chapter 2, title 9, of the Civil Code of Practice,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Varnon, from the Committee on Codes of Practice—

An act to amend section 112, chapter 1, title 6, of the Criminal Code of Practice.

By Mr. Blackburn, from the Committee on Railroads—

An act to amend the charter of the Shelby Railroad Company.

By Mr. Jessee, from the Committee on Charitable Institutions—

An act to amend an act, entitled "An act for the benefit of the Eastern and Western Lunatic Asylums," approved February 18, 1864.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House of Representatives, to a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act creating magisterial district No. 10, in Union county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act providing for the assessment of property in McCracken county for railroad purposes.

An act to establish the Ohio River and Tygart's Drain district, in Greenup county.

An act for the benefit of McCracken county.

An act to facilitate the collection of taxes in McCracken county.

An act for the benefit of John Ewell, jailer of McCracken county.

An act authorizing the sale of the Henry county poor-house farm, and the purchase of a smaller lot of ground, with suitable buildings, for the accommodation of the white paupers of said county.

An act to change the time of holding county court in Lincoln county.

An act empowering the Bullitt county court to sell the circuit and county clerks' offices in said county.

An act to change the times of holding the Henry county quarterly court.

An act to amend an act incorporating the town of Calvert City, in Marshall county.

An act for the benefit of St. Mary's College.

An act for the benefit of Webster county.

An act for the benefit of James H. Kirk, late sheriff of Marion county.

An act to increase the bonded debt of the city of Dayton, in Campbell county.

An act to incorporate the town of Kingston, in Madison county.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act regulating the selling and inspection of tobacco in the city of Louisville.

2. An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

3. An act to amend section 328 of the Civil Code of Practice.

4. An act to change the time of holding the Estill quarterly court.

5. An act to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county.

6. An act authorizing the trustees of Bardstown to levy a tax for the purpose of purchasing a school-house.

7. An act to authorize the judge of the Warren circuit court to sign the records of said court made on the 5th day of March, 1870.

8. An act to continue in force an act, entitled "An act to amend the charter of the Kentucky University," approved February 5, 1868.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to a select committee heretofore raised upon same subject; the 2d to the Committee on Railroads; the 3d to the Committee on Codes of Practice; the 4th and 7th to the Committee on Circuit Courts; the 5th to the Committee on Internal Improvement; and the 6th and 8th to the Committee on Education.

A message was also received from the Senate, asking leave to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

Which was granted, and the bill delivered to the Senate messenger.

And after a time a message was received from the Senate, announcing that they had passed said bill, with a substitute by way of amendment thereto.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Garnett, from the Committee on the Revised Statutes—

A bill to amend an act, entitled "An act to incorporate the Mt. Sterling and Spencer Creek Turnpike Road Company," approved May 24, 1861.

By same—

A bill to amend an act, entitled "An act to prevent justices of the peace in Kenton county from holding inquests in certain cases," approved March 22, 1871.

By same—

A bill to amend the charter of the Macpelah Cemetery Company, in Montgomery county.

By same—

A bill to increase the jurisdiction of the police court of Lebanon.

By Mr. E. P. Johnson, from the Committee on Codes of Practice—

A bill to regulate proceedings in the courts of justices of the peace in Jefferson county and the city of Louisville.

By same—

A bill to amend section 101 of the Criminal Code of Practice.

By Mr. Blackburn, from the Committee on Railroads—

A bill to incorporate the Danville and Nashville Railroad Company.

By Mr. Clay, from the same committee—

A bill to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

By Mr. Jessee, from the Committee on Charitable Institutions—

A bill for the benefit of the Cleaveland Orphan Asylum.

By same—

A bill for the benefit of the Cleaveland Orphan Asylum.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Waide, from the Committee on Charitable Institutions, who originated the same, reported

A bill to appropriate money for the benefit of the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $4,850 be, and the same is hereby, appropriated, payable out of any money in the Treasury not otherwise appropriated, for the purpose of enabling the Commissioners of the Kentucky Institution for the Education and Training of Feeble-

minded Children to pay for heating apparatus bought for said Institution; to purchase necessary furniture therefor; for a new boiler; for reconstructing the engine-house; for a cooking range for the Institution; and for the erection of a house for the engineer; said sum, or such parts thereof as may be necessary for the purposes named, to be expended under the superintendence and direction of said commissioners; and to be paid out on their orders by the Auditor of Public Accounts in such sums as such commissioners may from time to time direct.

§ 2. This act to take effect from its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | Julian N. Phelps, |
| Wm. A. Allen, | Walter Evans, | Lewis Potter, |
| George W. Anderson, | W. H. Evans, | Hiram S. Powell, |
| A. S. Arnold, | Manlius T. Flippin, | E. A. Robertson, |
| W. W. Ayers, | C. D. Foote, | John Rowan, |
| G. W. Bailey, | James Garnett, | John P. Rowlett, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | J. R. Sanders, |
| Alpheus W. Bascom, | E. A. Graves, | C. C. Scales, |
| W. R. Bates, | C. P. Gray, | William Sellers, |
| W. N. Beckham, | Clinton Griffith, | James W. Snyder, |
| S. C. Bell, | Wm. A. Hoskins, | J. S. Taylor, |
| J. C. S. Blackburn, | George M. Jessee, | C. W. Threlkeld, |
| Wm. F. Bond, | E. Polk Johnson, | Harry I. Todd, |
| W. B. M. Brooks, | T. M. Johnson, | L. W. Trafton, |
| W. W. Bush, | T. J. Jones, | Joseph T. Tucker, |
| Thomas P. Cardwell, | J. S. Lawson, | T. W. Varnon, |
| Robert M. Carlisle, | G. W. Little, | E. F. Waide, |
| John S. Carpenter, | Bryan S. McClure, | J. L. Waring, |
| James S. Chrisman, | William J. McElroy, | C. H. Webb, |
| C. M. Clay, jr., | M. E. McKenzie, | J. M. White, |
| J. Guthrie Coke, | T. J. Megibben, | Mordecai Williams, |
| Josiah H. Combs, | J. C. Moorman, | F. A. Wilson, |
| William G. Conrad, | W. A. Morin, | Jonas D. Wilson, |
| R. D. Cook, | Wm. Mynhier, | J. N. Woods, |
| R. L. Cooper, | J. L. Nall, | S. H. Woolfolk, |

J. E. Cosson, Mat. Nunan, J. M. Wright—81.
Joseph M. Davidson, John W. Ogilvie,

In the negative, J. J. McAfee—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Waide, from the same committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of A. H. Calvin, of Fayette county.

Which was read the first time as follows, viz:

WHEREAS, It appears that Daniel Webster, a person of unsound mind, was, on the 8th day of April, 1871, by order of the county court of Fayette, directed to be confined in the Eastern Lunatic Asylum at Lexington; and said Asylum having already more than its complement of patients at that time, and the Superintendent, in consequence, refusing to receive him; and it further appearing that the judge of the county court did direct A. H. Calvin, of the county of Fayette, to take, confine, and properly treat said Webster; which order said Calvin did faithfully perform from the 8th day of April, 1871, until the 28th day of May, 1871, inclusive; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and he is hereby, directed to draw his warrant upon the Treasury for the sum of one hundred and thirty-five dollars ($135) in favor of said Calvin, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Julian N. Phelps, |
| Wm. A. Allen, | W. W. Deaderick, | Lewis Potter, |
| George W. Anderson, | John W. Dyer, | Hiram S. Powell, |
| A. C. Armstrong, | Walter Evans, | W. L. Reeves, |
| A. S. Arnold, | W. H. Evans, | E. A. Robertson, |
| W. W. Ayers, | Manlius T. Flippin, | John P. Rowlett, |
| G. W. Bailey, | C. D. Foote, | J. P. Sacksteder, |
| R. Tarv. Baker, | Joseph P. Foree, | J. R. Sanders, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | C. C. Scales, |

| | | |
|---|---|---|
| W. N. Beckham, | E. A. Graves, | William Sellers, |
| John A. Bell, | C. P. Gray, | James W. Snyder, |
| S. C. Bell, | J. P. Hampton, | Wm. Tarlton, |
| J. C. S. Blackburn, | Wm. A Hoskins, | J. S. Taylor, |
| Wm. F. Bond, | George M. Jessee, | C. W. Threlkeld, |
| W. B. M. Brooks, | E. Polk Johnson, | Harry I. Todd, |
| W. W. Bush, | T. M. Johnson, | L. W. Trafton, |
| Thomas P. Cardwell, | J. S. Lawson, | Joseph T. Tucker, |
| Robert M. Carlisle, | G. W. Little, | T. W. Varnon, |
| John S. Carpenter, | J. A. McCampbell, | E. F. Waide, |
| George Carter, | Bryan S. McClure, | J. L. Waring, |
| James S. Chrisman, | Wm. J. McElroy, | C. H. Webb, |
| C. M. Clay, jr., | M. E. McKenzie, | J. M. White, |
| J. Guthrie Coke, | T. J. Megibben, | Mordecai Williams, |
| Josiah H. Combs, | J. C. Moorman, | F. A. Wilson, |
| Wm. G. Conrad, | W. A. Morin, | Jonas D. Wilson, |
| R. D. Cook, | J. L. Nall, | J. N. Woods, |
| R. L. Cooper, | Mat. Nunan, | S. H. Woolfolk, |
| Thomas H. Corbett, | John W. Ogilvie, | J. M. Wright—85. |
| J. E. Cosson, | | |

In the negative, J. J. McAfee—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. T. N. Johnson, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill for the benefit of Solomon Tingle, of Henry county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

Said bill was read the third time as follows, viz:

Whereas, It appears that Elijah Vest, a person of unsound mind, was, by the order of the Henry county court, directed to be confined in the Eastern Lunatic Asylum at Lexington; and this institution having already more than its complement of patients at that time, and the Superintendent, in consequence, refusing to receive said Vest; and it further appearing that the county court did order Solomon Tingle, jailer of said county, to take, confine, and otherwise treat and provide for said patient; which order said Tingle did faithfully perform from the 8th day of August, 1871, until the 12th day of October, 1871; and upon the presentation of his account to the circuit court, the same was allowed at the rate of two dollars per day, and seventy-five cents for committing and releasing the patient; but on presentation, the Auditor refused to pay the same for want of authority of law; and it appearing further that said Tingle kept said Vest ten days after said circuit court had adjourned; and whereas, it appears that Thomas Jenkins, a man of color, of unsound mind, was, by the order of the same court, directed to be

confined in the Eastern Lunatic Asylum at Lexington; and said institution having already more than its complement of patients at that time, and the Superintendent, in consequence thereof, refusing to receive him; and it further appearing that the judge of the county court did order and direct Solomon Tingle aforesaid to take, confine, treat, and otherwise provide for said Thomas Jenkins; which order said Tingle did faithfully perform for eight days; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasury for the sum of one hundred and sixty-five dollars and seventy-five cents in favor of said Tingle, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Mat. Nunan, |
| Wm. A. Allen, | Joseph M. Davidson, | John W. Ogilvie, |
| George W. Anderson, | W. W. Deaderick, | Julian N. Phelps, |
| A. C. Armstrong, | Walter Evans, | Lewis Potter, |
| A. S. Arnold, | W. H. Evans, | Hiram S. Powell, |
| R. Tarv. Baker, | C. D. Foote, | W. L. Reeves, |
| W. W. Baldwin, | Joseph P. Foree, | E. A. Robertson, |
| Alpheus W. Bascom, | James Garnett, | John Rowan, |
| W. R. Bates, | Wm. Cassius Goodloe, | John P. Rowlett, |
| W. N. Beckham, | C. P. Gray, | J. P. Sacksteder, |
| John A. Bell, | Clinton Griffith, | J. R. Sanders, |
| S. C. Bell, | J. P. Hampton, | C. C. Scales, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | Wm. Sellers, |
| Wm. F. Bond, | George M. Jessee, | J. S. Taylor, |
| W. B. M. Brooks, | E. Polk Johnson, | C. W. Threlkeld, |
| W. W. Bush, | T. M. Johnson, | Harry I. Todd, |
| Thomas P. Cardwell, | T. J. Jones, | L. W. Trafton, |
| Robert M. Carlisle, | J. S. Lawson, | Joseph T. Tucker, |
| John S. Carpenter, | G. W. Little, | T. W. Varnon, |
| George Carter, | J. A. McCampbell, | E. F. Waide, |
| B. E. Cassilly, | Bryan S. McClure, | J. L. Waring, |
| James S. Chrisman, | Wm. J. McElroy, | J. M. White, |
| C. M. Clay, jr., | M. E. McKenzie, | Mordecai Williams, |
| J. Guthrie Coke, | T. J. Megibben, | F. A. Wilson, |
| Josiah H. Combs, | J. C. Moorman, | J. N. Woods, |
| Wm. G. Conrad, | W. A. Morin, | S. H. Woolfolk, |
| R. L. Cooper, | J. L. Nall, | J. M. Wright—82. |
| Thomas H. Corbett, | | |

In the negative, J. J. McAfee—1.

*Resolved*, That the title of said bill be as aforesaid.

The hour of 12 o'clock, M., having arrived, the House took up from the orders of the day the unfinished order of yesterday, viz: a bill from the Senate, entitled

An act repealing an act approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies,"

With the amendment proposed thereto by Mr. Cooper.

Mr. Reeves offered the following substitute by way of amendment for the bill and proposed amendment of Mr. Cooper:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads and turnpike companies," be, and the same is hereby, amended as follows: That the Commissioners of the Sinking Fund, before they proceed to make any sale, shall advertise the time and place of the selling for at least one hundred days before the sale; and that no sale shall be made or completed until the bid for the same is unanimously ratified by the Commissioners of the Sinking Fund. Said commissioners may use a sound discretion in making the sale.

§ 2. That when the sale shall have been made, it shall be the duty of the president and directors of said company or companies in which the stock is sold to cancel the certificates of the stock sold, and issue new certificates of stock to the purchaser or purchasers to the full amount of the money bid by them, and no more.

§ 3. That said company shall not make more than eight per cent. on the capital stock of said company, as reduced by this sale; and that the stock of the purchaser, in ascertaining, shall be counted at the amount at which he pays the State for it, and not at the original stock.

Mr. Garnett moved to recommit the bill and amendments to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Corbett and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | E. A. Graves, | John P. Rowlett, |
| A. S. Arnold, | E. Polk Johnson, | J. P. Sacksteder, |
| W. W. Ayers, | T. J. Jones, | James W. Snyder, |
| W. R. Bates, | G. W. Little, | William Tarlton, |
| S. C. Bell, | J. A. McCampbell, | L. W. Trafton, |
| W. B. M. Brooks, | Bryan S. McClure, | Joseph T. Tucker, |
| W. W. Bush, | W. J. McElroy, | T. W. Varnon, |
| John S. Carpenter, | M. E. McKenzie, | J. L. Waring, |

| | | |
|---|---|---|
| B. E. Cassilly, | T. J. Megibben, | J. M. White, |
| James S. Chrisman, | J. C. Moorman, | Mordecai Williams, |
| J. Guthrie Coke, | W. A. Morin, | F. A. Wilson, |
| Thomas H. Corbett, | John W. Ogilvie, | S. H. Woolfolk, |
| Joseph M. Davidson, | W. L. Reeves, | J. M. Wright—41. |
| James Garnett, | John Rowan, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Walter Evans, | Mat. Nunan, |
| G. W. Bailey, | W. H. Evans, | Julian N. Phelps, |
| R. Tarv. Baker, | Manlius T Flippin, | Lewis Potter, |
| Alpheus W. Bascom, | C. D. Foote, | Hiram S. Powell, |
| W. N. Beckham, | Joseph P. Foree, | E. A. Robertson, |
| J. A. Bell, | C. P. Gray, | J. R. Sanders, |
| J. C. S. Blackburn, | Clinton Griffith, | C. C. Scales, |
| Thomas P. Cardwell, | J. P. Hampton, | Wm. Sellers, |
| Robert M. Carlisle, | Wm. A. Hoskins, | J. S. Taylor, |
| C. M. Clay, jr., | George M. Jessee, | C. W. Threlkeld, |
| Wm. G. Conrad, | Thos. M. Johnson, | E. F. Waide, |
| R. L. Cooper, | J. S. Lawson, | C. H. Webb, |
| J. E. Cosson, | J. J. McAfee, | Jonas D. Wilson, |
| W. W. Deaderick, | Wm. Mynhier, | J. N. Woods—45. |
| John W. Dyer, | J. L. Nall, | |

Mr. Scales then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Walter Evans, | Wm. Mynhier, |
| G. W. Bailey, | W. H. Evans, | J. L. Nall, |
| R. Tarv. Baker, | Manlius T. Flippin, | Mat. Nunan, |
| Alpheus W. Bascom, | C. D. Foote, | Lewis Potter, |
| W. N. Beckham, | Joseph P. Foree, | Hiram S. Powell, |
| John A. Bell, | E. A. Graves, | E. A. Robertson, |
| J. C. S. Blackburn, | C. P. Gray, | John P. Rowlett, |
| W. B. M. Brooks, | Clinton Griffith, | J. R. Sanders, |
| Thomas P. Cardwell, | J. P. Hampton, | C. C. Scales, |
| Robert M. Carlisle, | Wm. A. Hoskins, | William Sellers, |
| John S. Carpenter, | George M. Jessee, | Wm. Tarlton, |
| C. M. Clay, jr., | E. Polk Johnson, | J. S. Taylor, |
| Josiah H. Combs, | Thos. M. Johnson, | C. W. Threlkeld, |
| Wm. G. Conrad, | J. S. Lawson, | E. F. Waide, |
| R. L. Cooper, | J. J. McAfee, | Jonas D. Wilson, |
| J. E. Cosson, | J. A. McCampbell, | J. N. Woods, |
| W. W. Deaderick, | Wm. J. McElroy, | S. H. Woolfolk, |
| John W. Dyer, | W. A. Morin, | J. M. Wright—54. |

Those who voted in the negative were—

| | | |
|---|---|---|
| A. C. Armstrong, | James B. Fitzpatrick, | John Rowan, |
| A. S. Arnold, | James Garnett, | J. P. Sacksteder, |
| W. W. Ayers, | T. J. Jones, | L. W. Trafton, |
| W. R. Bates, | G. W. Little, | Joseph T. Tucker, |
| S. C. Bell, | Bryan S. McClure, | T. W. Varnon, |
| W. W. Bush, | M. E. McKenzie, | J. L. Waring, |
| B. E. Cassilly, | T. J. Megibben, | C. H. Webb, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| J. Guthrie Coke, | John W. Ogilvie, | Mordecai Williams, |
| Thomas H. Corbett, | Julian N. Phelps, | F. A. Wilson—32. |
| Joseph M. Davidson, | W. L. Reeves, | |

And so the main question was ordered.

At twenty minutes past two o'clock, P. M., Mr. Corbett moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Scales, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Thomas H. Corbett, | Wm. J. McElroy, |
| A. S. Arnold, | Joseph M. Davidson, | John W. Ogilvie, |
| W. W. Ayers, | James B. Fitzpatrick, | Julian N. Phelps, |
| G. W. Bailey, | James Garnett, | W. L. Reeves, |
| W. R. Bates, | T. J. Jones, | L. W. Trafton, |
| S. C. Bell, | G. W. Little, | Mordecai Williams, |
| James S. Chrisman, | J. A. McCampbell, | F. A. Wilson—22. |
| J. Guthrie Coke, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | C. D. Foote, | Hiram S. Powell, |
| R. Tarv. Baker, | Joseph P. Foree, | E. A. Robertson, |
| Alpheus W. Bascom, | E. A. Graves, | John Rowan, |
| W. N. Beckham, | C. P. Gray, | John P. Rowlett, |
| John A. Bell, | Clinton Griffith, | J. P. Sacksteder, |
| J. C. S. Blackburn, | J. P. Hampton, | J. R. Sanders, |
| W. B. M Brooks, | Wm. A. Hoskins, | C. C. Scales, |
| Thomas P. Cardwell, | George M. Jessee, | Wm. Sellers, |
| Robert M. Carlisle, | E. Polk Johnson, | Wm. Tarlton, |
| John S. Carpenter, | T. M. Johnson, | J. S. Taylor, |
| Josiah H. Combs, | J. S. Lawson, | C. W. Threlkeld, |
| William G. Conrad, | Bryan S. McClure, | Joseph T. Tucker, |
| R. L. Cooper, | T. J. Megibben, | E. F. Waide, |
| J. E. Cosson, | J. C. Moorman, | J. L. Waring, |
| W. W. Deaderick, | W. A. Morin, | Jonas D. Wilson, |
| John W. Dyer, | Wm. Mynhier, | J. N. Woods, |
| Walter Evans, | J. L. Nall, | S. H. Woolfolk, |
| W. H. Evans, | Mat. Nunan, | J. M. Wright—56. |
| Manlius T. Flippin, | Lewis Potter, | |

Before the result of this last ballot was announced, Mr. Corbett moved to be permitted to change his vote thereon, and the Speaker (Mr. Graves in the Chair) decided that Mr. Corbett could change his vote before the result of the ballot was announced.

From this ruling of the Chair Mr. Bush appealed to the House, and reduced his appeal to writing, as follows, viz:

The Chair decided that Mr. Corbett had the right to change his vote before the result was announced without the consent of the House; and upon that ruling the member from Simpson appeals to the House.

And the question being put, "Shall the decision of the Chair stand as the decision of the House?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bush and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Walter Evans, | John W. Ogilvie, |
| A. C. Armstrong, | W. H. Evans, | Julian N. Phelps, |
| A. S. Arnold, | James B. Fitzpatrick, | Lewis Potter, |
| W. W. Ayers, | Manlius T. Flippin, | Hiram S. Powell, |
| G. W. Bailey, | C. D. Foote, | W. L. Reeves, |
| R. Tarv. Baker, | Joseph P. Foree, | E. A. Robertson, |
| Alpheus W. Bascom, | James Garnett, | John Rowan, |
| W. R. Bates, | C. P. Gray, | John P. Rowlett, |
| W. N. Beckham, | Clinton Griffith, | J. P. Sacksteder, |
| John A. Bell, | J. P. Hampton, | J. R. Sanders, |
| S. C. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| J. C. S. Blackburn, | George M. Jessee, | Wm. Sellers, |
| W. B. M. Brooks, | E. Polk Johnson, | Wm. Tarlton, |
| W. W. Bush, | T. M. Johnson, | J. S. Taylor, |
| Thomas P. Cardwell, | T. J. Jones, | C. W. Threlkeld, |
| Robert M. Carlisle, | J. S. Lawson, | Harry I. Todd, |
| John S. Carpenter, | G. W. Little, | L. W. Trafton, |
| B. E. Cassilly, | J. J. McAfee, | Joseph T. Tucker, |
| James S. Chrisman, | J. A. McCampbell, | T. W. Varnon, |
| C. M. Clay, jr., | Bryan S. McClure, | E. F. Waide, |
| J. Guthrie Coke, | William J. McElroy, | J. L. Waring, |
| Josiah H. Combs, | M. E. McKenzie, | C. H. Webb, |
| Wm. G. Conrad, | T. J. Megibben, | Mordecai Williams, |
| R. D. Cook, | J. C. Moorman, | F. A. Wilson, |
| R. L. Cooper, | W. A. Morin, | Jonas D. Wilson, |
| Thomas H. Corbett, | Wm. Mynhier, | J. N. Woods, |
| Joseph M. Davidson, | J. L. Nall, | S. H. Woolfolk, |
| W. W. Deaderick, | Mat. Nunan, | J. M. Wright—85. |
| John W. Dyer, | | |

In the negative—none.

Mr. Corbett then withdrew his motion for leave to change his vote.

The main question being ordered, the question was then taken on the substitute by way of amendment proposed by Mr. Reeves, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garnett and Reeves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Joseph M. Davidson, | John W. Ogilvie, |
| A. S. Arnold, | James B. Fitzpatrick, | W. L. Reeves, |
| W. R. Bates, | James Garnett, | John Rowan, |
| S. C. Bell, | George M. Jessee, | J. P. Sacksteder, |
| W. W. Bush, | T. J. Jones, | T. W. Varnon, |
| B. E. Cassilly, | G. W. Little, | J. L. Waring, |
| James S. Chrisman, | Bryan S. McClure, | Mordecai Williams, |
| J. Guthrie Coke, | T. J. Megibben, | F. A. Wilson, |
| Thomas H. Corbett, | J. C. Moorman, | J. M. Wright—27. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Manlius T. Flippin, | Mat. Nunan, |
| W. W. Ayers, | C. D. Foote, | Julian N. Phelps, |
| R. Tarv. Baker, | Joseph P. Foree, | Lewis Potter, |
| Alpheus W. Bascom, | E. A. Graves, | Hiram S. Powell, |
| W. N. Beckham, | C. P. Gray, | E. A. Robertson, |
| John A. Bell, | Clinton Griffith, | John P. Rowlett, |
| J. C. S. Blackburn, | J. P. Hampton, | J. R. Sanders, |
| W. B. M. Brooks, | Wm. A. Hoskins, | C. C. Scales, |
| Thomas P. Cardwell, | E. Polk Johnson, | William Sellers, |
| Robert M. Carlisle, | T. M. Johnson, | William Tarlton, |
| C. M. Clay, jr., | J. S. Lawson, | J. S. Taylor, |
| Josiah H. Combs, | J. J. McAfee, | C. W. Threlkeld, |
| William G. Conrad, | J. A. McCampbell, | Joseph T. Tucker, |
| R. D. Cook, | William J. McElroy, | E. F. Waide, |
| R. L. Cooper, | M. E. McKenzie, | C. H. Webb, |
| W. W. Deaderick, | W. A. Morin, | Jonas D. Wilson, |
| John W. Dyer, | Wm. Mynhier, | J. N. Woods, |
| Walter Evans, | J. L. Nall, | S. H. Woolfolk—55. |
| W. H. Evans, | | |

And so said substitute was rejected.

The amendment proposed by Mr. Cooper is as follows:

Add the following to first section, viz:

*Provided, however*, That this act shall not be construed so as to interfere with any contract made by the Commissioners of the Sinking Fund, or any accepted bid by them received for the stock of the State in any turnpike road within the State; and it shall be the duty of said commissioners, in good faith, to carry out and execute all contracts and accepted bids heretofore made or received by them.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Corbett and Armstrong, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. S. Arnold, | John A. Bell, | Joseph T. Tucker, |
| W. W. Ayers, | Thomas H. Corbett, | T. W. Varnon—7. |
| W. R. Bates, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James B. Fitzpatrick, | Wm. Mynhier, |
| R. Tarv. Baker, | Manlius T. Flippin, | J. L. Nall, |
| Alpheus W. Bascom, | C. D. Foote, | Mat. Nunan, |
| W. N. Beckham, | Joseph P. Foree, | John W. Ogilvie, |
| S. C. Bell, | James Garnett, | Julian N. Phelps, |
| J. C. S. Blackburn, | E. A. Graves, | Lewis Potter, |
| W. B. M Brooks, | C. P. Gray, | Hiram S. Powell, |
| W. W. Bush, | Clinton Griffith, | E. A. Robertson, |
| Thomas P. Cardwell, | J. P. Hampton, | John Rowan, |
| Robert M. Carlisle, | Wm. A. Hoskins, | John P. Rowlett, |
| John S. Carpenter, | George M. Jessee, | J. P. Sacksteder, |
| George Carter, | E. Polk Johnson, | J. R. Sanders, |
| B. E. Cassilly, | T. M. Johnson, | C. C. Scales, |
| James S. Chrisman, | T. J. Jones, | Wm. Sellers, |
| C. M. Clay, jr., | J. S. Lawson, | Wm. Tarlton, |
| J. Guthrie Coke, | G. W. Little, | J. S. Taylor, |
| Josiah H. Combs, | J. J. McAfee, | C. W. Threlkeld, |
| William G. Conrad, | J. A. McCampbell, | E. F. Waide, |
| R. D. Cook, | Bryan S. McClure, | J. L. Waring, |
| R. L. Cooper, | Wm. J. McElroy, | C. H. Webb, |
| Joseph M. Davidson, | M. E. McKenzie, | Mordecai Williams, |
| W. W. Deaderick, | T. J. Megibben, | Jonas D. Wilson, |
| John W. Dyer, | J. C. Moorman, | S. H. Woolfolk, |
| Walter Evans, | W. A. Morin, | J. M. Wright—73. |
| W. H. Evans, | | |

The question was then taken, "Shall the bill be read a third time?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Armstrong, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Manlius T. Flippin, | J. L. Nall, |
| A. C. Armstrong, | C. D. Foote, | Mat. Nunan, |
| R. Tarv. Baker, | Joseph P. Foree, | Julian N. Phelps, |
| Alpheus W. Bascom, | E. A. Graves, | Lewis Potter, |
| W. N. Beckham, | C. P. Gray, | Hiram S. Powell, |
| John A. Bell, | Clinton Griffith, | E. A. Robertson, |
| J. C. S. Blackburn, | J. P. Hampton, | John P. Rowlett, |
| W. B. M. Brooks, | Wm. A. Hoskins, | J. R. Sanders, |
| Robert M. Carlisle, | George M. Jessee, | C. C. Scales, |
| John S. Carpenter, | E. Polk Johnson, | William Sellers, |
| George Carter, | Thos. M. Johnson, | Wm. Tarlton, |

| | | |
|---|---|---|
| James S. Chrisman, | T. J. Jones, | J. S. Taylor, |
| C. M. Clay, jr., | J. S. Lawson, | C. W. Threlkeld, |
| Josiah H. Combs, | G. W. Little, | L. W. Trafton, |
| Wm. G. Conrad, | J. J. McAfee, | E. F. Waide, |
| R. D. Cook, | Bryan S. McClure, | C. H. Webb, |
| R. L. Cooper, | Wm. J. McElroy, | Jonas D. Wilson, |
| W. W. Deaderick, | M. E. McKenzie, | J. N. Woods, |
| John W. Dyer, | T. J. Megibben, | S. H. Woolfolk, |
| Walter Evans, | W. A. Morin, | J. M. Wright—62. |
| W. H. Evans, | Wm. Mynhier, | |

Those who voted in the negative were—

| | | |
|---|---|---|
| A. S. Arnold, | Joseph M. Davidson, | John Rowan, |
| W. W. Ayers, | James Garnett, | J. P. Sacksteder, |
| W. R. Bates, | J. A. McCampbell, | Joseph T. Tucker, |
| S. C. Bell, | J. C. Moorman, | T. W. Varnon, |
| W. W. Bush, | John W. Ogilvie, | Mordecai Williams, |
| J. Guthrie Coke, | W. L. Reeves, | J. L. Waring—19. |
| Thomas H. Corbett, | | |

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies," approved March 7, 1871, be, and the same is hereby, repealed.

§ 2. This act shall take effect and be in force from its passage.

Mr. Clay then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | John W. Dyer, | Wm. Mynhier, |
| A. C. Armstrong, | Walter Evans, | J. L. Nall, |
| R. Tarv. Baker, | W. H. Evans, | Mat. Nunan, |
| Alpheus W. Bascom, | Manlius T Flippin, | Julian N. Phelps, |
| W. N. Beckham, | C. D. Foote, | Lewis Potter, |
| J. A. Bell, | Joseph P. Foree, | Hiram S. Powell, |
| J. C. S. Blackburn, | E. A. Graves, | E. A. Robertson, |
| W. B. M. Brooks, | C. P. Gray, | John P. Rowlett, |
| W. W. Bush, | Clinton Griffith, | J. R. Sanders, |
| Thomas P. Cardwell, | J. P. Hampton, | C. C. Scales, |
| Robert M. Carlisle, | Wm. A. Hoskins, | Wm. Sellers, |
| John S. Carpenter, | E. Polk Johnson, | William Tarlton, |
| George Carter, | Thos. M. Johnson, | J. S. Taylor, |
| B. E. Cassilly, | T. J. Jones, | C. W. Threlkeld, |
| C. M. Clay, jr., | J. S. Lawson, | L. W. Trafton, |
| Josiah H. Combs, | G. W. Little, | E. F. Waide, |
| Wm. G. Conrad, | Bryan S. McClure, | C. H. Webb, |

| | | |
|---|---|---|
| R. D. Cook, | W. J. McElroy, | Jonas D. Wilson, |
| R. L. Cooper, | M. E. McKenzie, | S. H. Woolfolk, |
| W. W. Deaderick, | W. A. Morin, | J. M. Wright—60. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. S. Arnold, | James B. Fitzpatrick, | W. L. Reeves, |
| W. W. Ayers, | James Garnett, | John Rowan, |
| W. R. Bates, | George M. Jessee, | J. P. Sacksteder, |
| S. C. Bell, | J. A. McCampbell, | Joseph T. Tucker, |
| James S. Chrisman, | T. J. Megibben, | T. W. Varnon, |
| J. Guthrie Coke, | J. C. Moorman, | Mordecai Williams, |
| Thomas H. Corbett, | John W. Ogilvie, | J. L. Waring—22. |
| Joseph M. Davidson, | | |

And so the main question was ordered.

The main question was then put, "Shall the bill pass," and it was decided in the affirmative

The yeas and nays being required thereon by Messrs. Corbett and Armstrong, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Manlius T. Flippin, | J. L. Nall, |
| R. Tarv. Baker, | C. D. Foote, | Mat. Nunan, |
| Alpheus W. Bascom, | Joseph P. Foree, | Julian N. Phelps, |
| W. N. Beckham, | E. A. Graves, | Lewis Potter, |
| John A. Bell, | C. P. Gray, | Hiram S. Powell, |
| J. C. S. Blackburn, | Clinton Griffith, | E. A. Robertson, |
| W. B. M. Brooks, | J. P. Hampton, | J. P. Sacksteder, |
| Thomas P. Cardwell, | Wm. A Hoskins, | J. R. Sanders, |
| Robert M. Carlisle, | George M. Jessee, | C. C. Scales, |
| John S. Carpenter, | E. Polk Johnson, | William Sellers, |
| George Carter, | T. M. Johnson, | Wm. Tarlton, |
| C. M. Clay, jr., | J. S. Lawson, | J. S. Taylor, |
| Josiah H. Combs, | G. W. Little, | C. W. Threlkeld, |
| Wm. G. Conrad, | J. J. McAfee, | L. W. Tratton, |
| R. D. Cook, | J. A. McCampbell, | E. F. Waide, |
| R. L. Cooper, | Bryan S. McClure, | Jonas D. Wilson, |
| Thomas H. Corbett, | Wm. J. McElroy, | J. N. Woods, |
| W. W. Deaderick, | M. E. McKenzie, | S. H. Woolfolk, |
| Walter Evans, | W. A. Morin, | J. M. Wright—59. |
| W. H. Evans, | Wm. Mynhier, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | J. Guthrie Coke, | John Rowan, |
| A. S. Arnold, | Joseph M. Davidson, | John P. Rowlett, |
| W. W. Ayers, | James Garnett, | Joseph T. Tucker, |
| W. R. Bates, | T. J. Jones, | T. W. Varnon, |
| S. C. Bell, | T. J. Megibben, | J. L. Waring, |
| W. W. Bush, | J. C. Moorman, | C. H. Webb, |
| B. E. Cassilly, | John W. Ogilvie, | Mordecai Williams, |
| James S. Chrisman, | W. L. Reeves, | J. M. White—24. |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Hoskins then moved to reconsider the vote by which said bill was passed.

Mr. W. Evans moved to lay the motion of Mr. Hoskins on the table.

And the question being taken on the motion of Mr. W. Evans, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Garnett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. H. Evans, | Julian N. Phelps, |
| R. Tarv. Baker, | C. D. Foote, | Lewis Potter, |
| Alpheus W. Bascom, | Joseph P. Foree, | Hiram S. Powell, |
| W. N. Beckham, | E. A. Graves, | E. A. Robertson, |
| John A. Bell, | C. P. Gray, | J. P. Sacksteder, |
| J. C. S. Blackburn, | Clinton Griffith, | J. R. Sanders, |
| W. B. M. Brooks, | Wm. A. Hoskins, | C. C. Scales, |
| Thomas P. Cardwell, | George M. Jessee, | Wm. Sellers, |
| Robert M. Carlisle, | E. Polk Johnson, | William Tarlton, |
| John S. Carpenter, | T. M. Johnson, | J. S. Taylor, |
| George Carter, | J. S. Lawson, | C. W. Threlkeld, |
| Josiah H. Combs, | Bryan S. McClure, | L. W. Trafton, |
| Wm. G. Conrad, | Wm. J. McElroy, | E. F. Waide, |
| R. D. Cook, | M. E. McKenzie, | J. L. Waring, |
| R. L. Cooper, | W. A. Morin, | Jonas D. Wilson, |
| W. W. Deaderick, | Wm. Mynhier, | J. N. Woods, |
| John W. Dyer, | J. L. Nall, | S. H. Woolfolk, |
| Walter Evans, | Mat. Nunan, | J. M. Wright—54. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Thomas H. Corbett, | John Rowan, |
| W. W. Ayers, | James Garnett, | John P. Rowlett, |
| W. R. Bates, | T. J. Jones, | Joseph T. Tucker, |
| S. C. Bell, | T. J. Megibben, | T. W. Varnon, |
| W. W. Bush, | J. C. Moorman, | C. H. Webb, |
| B. E. Cassilly, | John W. Ogilvie, | Mordecai Williams, |
| James S. Chrisman, | W. L. Reeves, | J. M. White—22. |
| J. Guthrie Coke, | | |

And so the motion to reconsider was laid on the table.

Mr. Trafton offered the following resolution, viz:

*Resolved*, That from and after the 15th day of this month, this House shall hold its sessions as follows: It shall commence business each day (Sundays excepted) at 10 o'clock, A. M., and hold its sessions till 1 o'clock, P. M., when a recess for dinner shall be taken till half-past 2 o'clock, P. M., and shall adjourn for the day at half-past 4 o'clock, P. M., except that on Saturdays the House shall adjourn at 1 o'clock, P. M., till the next Monday morning at 10 o'clock.

An act to amend an act, entitled "An act to incorporate the town of Earlington;"

An act to incorporate the town of Jackson;

An act to change the time of holding the McCracken county court of claims;

An act for the benefit of V. M. Deweese, of Butler county;

An act to authorize the county judge of Lincoln county to sell and convey the poor-house property in said county, and reinvest the proceeds;

An act for the benefit of Greenup county;

An act to amend an act, entitled "An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county;"

An act regulating the time of holding the circuit courts in the counties of Perry, Breathitt, and Clay;

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water works," approved January 26, 1871;

Resolution in regard to the public buildings;

Resolution providing for an examination of the charitable institutions of the State;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

And then the House adjourned.

## FRIDAY, FEBRUARY 9, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Robertson—

1. The remonstrance of certain members of the bar of Fleming county, against changing by law the time of holding the circuit court of said county.

By Mr. Trafton—

2. The petition of certain citizens of Spottsville, praying the passage of a law to suppress certain violations of law named therein.

By Mr. Davidson—

3. The petition of five citizens of Floyd county, praying to be attached to the county of Pike.

By same—

4. The petition of certain citizens of Johnson county, praying the passage of an act for the benefit of Richard M. Wells.

By Mr. Bascom—

5. The petition of certain citizens of Sharpsburg and vicinity, praying the passage of an act to allow Caleb Ratliff, jr., to pass the toll-gate on the Maysville and Mt. Sterling Turnpike Road free of toll.

By Mr. S. C. Bell—

6. The petition of James G. Walker, of Metcalfe county, praying the passage of an act to enable Perdita Scruninger to inherit his estate.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Circuit Courts; the 2d to the Committee on Religion; the 3d and 6th to the Committee on Propositions and Grievances; the 4th to the Committee on Education; and the 5th to the Committee on Corporate Institutions.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to amend an act to incorporate the Clark County Agricultural Association.

And that they had passed bills of the following titles, viz:

1. An act authorizing incorporated towns to establish work-houses

and station-houses, and authorizing the confinement of persons guilty of violating town ordinances to be confined in the work-house or put to work on the streets.

2. An act to amend section 7, chapter 105, of the Revised Statutes, in relation to weights and measures.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on the Revised Statutes.

On motion of Mr. Armstrong,

*Ordered*, That the further consideration of a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

Be postponed to, and made the special order of the day for, Wednesday, the 14th inst., at 11 o'clock, A. M.

On motion of Mr. Bascom, leave is given to bring in a bill to empower the circuit judge of the 13th judicial district to fill a vacancy in the office of master commissioner in Bath county.

*Ordered*, That a select committee, consisting of Messrs. Rowlett, McKenzie, and McAfee, be directed to prepare and bring in said bill.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Rowlett, from a select committee—

A bill to empower the circuit judge of the 13th judicial district to fill, by appointment, the vacancy caused by the death of the late master commissioner in chancery for the Bath circuit court.

By Mr. Scales, from the Committee on Corporate Institutions—

A bill to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz :

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

Said amendment was concurred in.

Mr. Blackburn, from the Committee on Railroads, to whom was recommitted

A bill to amend the charter of the Elizabethtown and Paducah Railroad Company,

Reported the same without amendment, and with the expression of opinion that the same ought to pass.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Waide, from the Committee on Charitable Institutions, who originated the same, reported

A bill to amend an act, entitled "An act for the benefit of the State House of Reform," approved February 23, 1871.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the first section of an act for the benefit of the State House of Reform, approved February 23, 1871, be, and the same is, so amended, that, in addition to the family house authorized to be erected, the Commissioners of said Institution are hereby empowered to erect an additional family house, of sufficient capacity to accommodate thirty or forty boys; and to erect such work-shops, stables, and other out-buildings as may be necessary to the successful operation of said Institution; and to have made such fencing as may be required; to purchase fruit trees, plants, shrubs, seeds, agricultural implements, cows, horses or mules, necessary furniture, wagons, and whatever may be necessary to place said Institution in readiness for public use and occupation.

§ 2. That for the above purposes, the additional sum of twenty-five thousand dollars is hereby appropriated; and the Treasurer is authorized and directed to pay to the commissioners, upon the warrant of the Auditor, the aforesaid sum, in the manner as directed by the act aforesaid, out of any money in the Treasury not otherwise appropriated.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | E. A. Robertson, |
| George W. Anderson, | John W. Dyer, | J. P. Sacksteder, |
| A. C. Armstrong, | Walter Evans, | J. R. Sanders, |
| A. S. Arnold, | James B. Fitzpatrick, | C. C. Scales, |
| R. Tarv. Baker, | C. D. Foote, | Harry I. Todd, |
| John A. Bell, | Wm. Cassius Goodloe, | T. W. Varnon, |
| J. C. S. Blackburn, | E. A. Graves, | E. F. Waide, |
| Wm. F. Bond, | Clinton Griffith, | J. L. Waring, |
| W. B. M. Brooks, | George M. Jessee, | Mordecai Williams, |
| W. W. Bush, | E. Polk Johnson, | Jonas D. Wilson, |
| John S. Carpenter, | W. A. Morin, | J. N. Woods, |
| B. E. Cassilly, | Mat. Nunan, | S. H. Woolfolk, |
| J. Guthrie Coke, | John W. Ogilvie, | J. M. Wright—40. |
| R. L. Cooper, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. W. Deaderick, | J. L. Nall, |
| W. W. Ayers, | W. H. Evans, | Julian N. Phelps, |
| G. W. Bailey, | Manlius T. Flippin, | Lewis Potter, |
| Alpheus W. Bascom, | James Garnett, | Hiram S. Powell, |
| W. R. Bates, | C. P. Gray, | W. L. Reeves, |
| W. N. Beckham, | J. P. Hampton, | John Rowan, |
| S. C. Bell, | Wm. A. Hoskins, | John P. Rowlett, |
| Thomas P. Cardwell, | T. J. Jones, | Samuel M. Sanders, |
| Robert M. Carlisle, | J. S. Lawson, | James W. Snyder, |
| George Carter, | J. J. McAfee, | J. S. Taylor, |
| James S. Chrisman, | J. A. McCampbell, | C. W. Threlkeld, |
| C. M. Clay, jr., | Bryan S. McClure, | L. W. Trafton, |
| Josiah H. Combs, | William J. McElroy, | Joseph T. Tucker, |
| Wm. G. Conrad, | M. E. McKenzie, | C. H. Webb, |
| R. D. Cook, | T. J. Megibben, | J. M. White, |
| J. E. Cosson, | J. C. Moorman, | F. A. Wilson—50. |
| Joseph M. Davidson, | Wm. Mynhier, | |

And so said bill was rejected.

Mr. Garnett moved to suspend the rules and take up for consideration a resolution offered by him on yesterday, proposing a certain inquiry with respect to the sale of State stock in turnpike roads.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Tucker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Mat. Nunan, |
| Wm. A. Allen, | Joseph M. Davidson, | John W. Ogilvie, |
| George W. Anderson, | W. H. Evans, | Lewis Potter, |
| A. C. Armstrong, | Manlius T. Flippin, | Hiram S. Powell, |
| A. S. Arnold, | Joseph P. Foree, | W. L. Reeves, |
| W. W. Ayers, | James Garnett, | E. A. Robertson, |
| G. W. Bailey, | C. P. Gray, | John Rowan, |
| R. Tarv. Baker, | Clinton Griffith, | John P. Rowlett, |
| Alpheus W. Bascom, | E. Polk Johnson, | C. C. Scales, |
| W. R. Bates, | T. J. Jones, | James W. Snyder, |
| W. N. Beckham, | J. A. McCampbell, | C. W. Threlkeld, |
| John A. Bell, | Bryan S. McClure, | E. F. Waide, |
| S. C. Bell, | William J. McElroy, | J. L. Waring, |
| W. B. M. Brooks, | M. E. McKenzie, | C. H. Webb, |
| George Carter, | T. J. Megibben, | Mordecai Williams, |
| James S. Chrisman, | J. C. Moorman, | F. A. Wilson, |
| J. Guthrie Coke, | Wm. Mynhier, | J. N. Woods, |
| R. L. Cooper, | J. L. Nall, | S. H. Woolfolk—55. |
| Thomas H. Corbett, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| J. C. S. Blackburn, | C. D. Foote, | J. R. Sanders, |
| W. W. Bush, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| Thomas P. Cardwell, | E. A. Graves, | J. S. Taylor, |
| Robert M. Carlisle, | J. P. Hampton, | L. W. Trafton, |
| John S. Carpenter, | Wm. A. Hoskins, | Joseph T. Tucker, |
| C. M. Clay, jr., | J. S. Lawson, | T. W. Varnon, |
| Josiah H. Combs, | J. J. McAfee, | J. M. White, |
| William G. Conrad, | W. A. Morin, | Jonas D. Wilson, |
| R. D. Cook, | Julian N. Phelps, | J. M. Wright—28. |
| James B. Fitzpatrick, | | |

Two-thirds of the members present not voting therefor, the rules were not suspended.

On motion, leave of absence, indefinitely, was granted to Mr. Tarlton.

Mr. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to incorporate the Ludlow and Pleasant Run Turnpike Road Company,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up from the orders of the day, and proceeded further with the consideration of a bill from the Senate, entitled

An act to re-enact an act to amend an act, entitled "An act to provide for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other than Life Insurance Companies," approved March 12, 1871.

After debate thereon, Mr. McElroy, at half-past two o'clock, P. M., moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Carpenter and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Wm. J. McElroy, | E. F. Waide, |
| G. W. Bailey, | W. L. Reeves, | F. A. Wilson, |
| James S. Chrisman, | J. R. Sanders, | S. H. Woolfolk, |
| James Garnett, | Harry I. Todd, | J. M. Wright—14. |
| E. A. Graves, | L. W. Trafton, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | Wm. Mynhier, |
| Wm. A. Allen, | Thomas H. Corbett, | J. L. Nall, |
| A. S. Arnold, | John W. Dyer, | John W. Ogilvie, |
| W. W. Ayers, | W. H. Evans, | Lewis Potter, |
| Alpheus W. Bascom, | Manlius T. Flippin, | Hiram S. Powell, |
| W. N. Beckham, | C. D. Foote, | John P. Rowlett, |
| John A. Bell, | Joseph P. Foree, | J. P. Sacksteder, |
| S. C. Bell, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| J. C. S. Blackburn, | C. P. Gray, | James W. Snyder, |
| Wm. F. Bond, | Clinton Griffith, | J. S. Taylor, |
| W. W. Bush, | Wm. A. Hoskins, | C. W. Threlkeld, |
| Robert M. Carlisle, | George M. Jessee, | Joseph T. Tucker, |
| John S. Carpenter, | T. J. Jones, | T. W. Varnon, |
| B. E. Cassilly, | J. S. Lawson, | J. L. Waring, |
| C. M. Clay, jr., | Bryan S. McClure, | C. H. Webb, |
| J. Guthrie Coke, | M. E. McKenzie, | J. M. White, |
| Josiah H. Combs, | T. J. Megibben, | Jonas D. Wilson, |
| William G. Conrad, | J. C. Moorman, | J. N. Woods—55. |
| R. D. Cook, | | |

And so the House refused to adjourn at that hour.

Proceeding still further with debate, after a time Mr. Bush moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | W. W. Deaderick, | John W. Ogilvie, |
| W. R. Bates, | W. H. Evans, | Julian N. Phelps, |
| W. N. Beckham, | Manlius T. Flippin, | Lewis Potter, |
| John A. Bell, | C. D. Foote, | Hiram S. Powell, |
| J. C. S. Blackburn, | Joseph P. Foree, | John Rowan, |
| Wm. F. Bond, | Wm. Cassius Goodloe, | James W. Snyder, |
| W. W. Bush, | Clinton Griffith, | J. S. Taylor, |
| Robert M. Carlisle, | E. Polk Johnson, | C. W. Threlkeld, |
| John S. Carpenter, | T. J. Jones, | L. W. Trafton, |
| B. E. Cassilly, | J. S. Lawson, | Joseph T. Tucker, |
| C. M Clay, jr., | M. E. McKenzie, | T. W. Varnon, |
| J. Guthrie Coke, | J. C. Moorman, | J. L. Waring, |
| Josiah H. Combs, | Wm. Mynhier, | C. H. Webb, |
| Wm. G. Conrad, | J. L. Nall, | F. A. Wilson, |
| R. D. Cook, | Mat. Nunan, | Jonas D. Wilson—46. |
| R. L. Cooper, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | J. R. Sanders, |
| George W. Anderson, | E. A. Graves, | Samuel M. Sanders, |
| A. S. Arnold, | C. P. Gray, | Harry I. Todd, |
| W. W. Ayers, | J. P. Hampton, | E. F. Waide, |
| G. W. Bailey, | Wm. A. Hoskins, | J. M. White, |
| S. C. Bell, | Bryan S. McClure, | J. N. Woods, |
| James S. Chrisman, | T. J. Megibben, | J. M. Wright—23. |
| Thomas H. Corbett, | John P. Rowlett, | |

And so the main question was ordered.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Waide and Carpenter, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Wm. Cassius Goodloe, | Joseph T. Tucker, |
| B. E. Cassilly, | E. Polk Johnson, | T. W. Varnon, |
| James S. Chrisman, | T. J. Megibben, | E. F. Waide, |
| John W. Dyer, | J. P. Sacksteder, | Jonas D. Wilson, |
| W. H. Evans, | J. R. Sanders, | J. M. Wright—15. |

Those who voted in the negative were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | Mat. Nunan, |
| Wm. A. Allen, | R. L. Cooper, | John W. Ogilvie, |

A. S. Arnold,
W. W. Ayers,
G. W. Bailey,
Alpheus W. Bascom,
W. R. Bates,
W. N. Beckham,
John A. Bell,
S. C. Bell,
J. C. S. Blackburn,
Wm. F. Bond,
W. W. Bush,
Robert M. Carlisle,
John S. Carpenter,
C. M. Clay, jr.,
J. Guthrie Coke,
Josiah H. Combs,
Wm. G. Conrad,
Thomas H. Corbett,
W. W. Deaderick,
James B. Fitzpatrick,
Manlius T. Flippin,
C. D. Foote,
Joseph P. Foree,
E. A. Graves,
C. P. Gray,
Clinton Griffith,
Wm. A. Hoskins,
T. J. Jones,
J. S. Lawson,
Bryan S. McClure,
M. E. McKenzie,
J. C. Moorman,
Wm. Mynhier,
J. L. Nall,
Julian N. Phelps,
Lewis Potter,
Hiram S. Powell,
John Rowan,
John P. Rowlett,
Samuel M. Sanders,
James W. Snyder,
J. S. Taylor,
C. W. Threlkeld,
Harry T. Todd,
L. W. Trafton,
J. L. Waring,
C. H. Webb,
J. M. White,
F. A. Wilson,
J. N. Woods—56.

And so said bill was disagreed to.

Said bill is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentuchy*, That an act, entitled "An act to amend an act, entitled 'An act to provide for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies,'" approved March 11, 1871, be, and the same is hereby, re-enacted and continued in force.

§ 2. This act shall not apply to companies incorporated since March 12, 1870.

§ 3. This act shall take effect from its passage.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4, 1865;

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4, 1865;

Resolution calling on the Auditor for information relative to receipts and disbursements within a given period;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the act of March 21, 1871, for the benefit of late clerks and other officers;

An act to incorporate the town of Boston Station, in Pendleton county;

An act for the benefit of the Augusta and Minerva Turnpike Road Company, in Bracken county;

An act for the benefit of Augusta and Dover Turnpike Road Company, in Bracken county;

An act authorizing and empowering the county court of levies and disbursements of Rockcastle county to levy an additional capitation and ad valorem tax for the purpose of building a new court-house, clerks' offices, &c., for said county;

An act to incorporate the Henderson Bridge Company;

An act to legalize the subscription of stock to the New Castle and Kentucky River Turnpike Road Company by the court of claims of Henry county;

An act for the benefit of common school district No. 12, in Woodford county;

An act in relation to the levy court of Spencer county;

An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county;

An act to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges;

An act to re-run and mark the dividing line between the counties of Hancock and Ohio;

An act in relation to delinquent tax-payers in Union county;

Resolution instructing our Senators and requesting our Representatives in Congress, to secure an appropriation for locking and damming the Ohio river;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

And then the House adjourned.

## SATURDAY, FEBRUARY 10, 1872.

The following petitions and remonstrances were presented, viz:

By Mr. Moorman—

1. The petition of citizens of South Carrollton precinct, in Muhlenburg county, praying the passage of an act to amend the law for the prohibition of the sale of intoxicating drinks in said district.

By Mr. Threlkeld—

2. The petition of citizens of Owen county, praying the passage of an act allowing the voters of that county to determine whether or not spirituous or malt liquors shall be sold therein in less quantity than forty gallons.

By Mr. Flippin—

3. The petition of Elizabeth Johnson, of Monroe county, praying the passage of an act changing her from the 28th to the 27th common school district of said county.

By Mr. S. C. Bell—

4. The petition of certain citizens of Antioch, Metcalfe county, praying the passage of an act to prohibit the sale of intoxicating drinks therein.

By Mr. Speaker (McCreary)—

5. The petition of citizens of Cynthiana, Harrison county, praying certain amendments to their charter.

By Mr. Davidson—

6. The remonstrance of citizens of Bath county, against any amendment to the charter of the Licking River Lumber and Mining Company.

By Mr. Hoskins—

7. The petition of certain citizens of Shelby City, in Boyle county, praying an amendment to their town charter.

By same—

8. The remonstrance of certain citizens of the same place, against an alteration of their town charter.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 4th to the Committee on Religion; the 3d to the Committee on Education; and the 5th, 6th, 7th, and 8th to the Committee on Corporate Institutions.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend the charter of the city of Frankfort, regulating fees of police judge and marshal.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal in part an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7th, 1871.

An act to amend section 17, chapter 24, Revised Statutes.

An act to amend an act, entitled "An act to amend the road law in Bracken county."

A act authorizing the clerk of the Harrison circuit court to complete and continue a cross-index to judgments.

An act to amend the charter of the Kentucky River Turnpike Road Company.

An act for the benefit of the Winchester and Red River Iron Works Turnpike Road Company, and the Schollsville branch of said road.

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

An act requiring the circuit and county court clerks of Montgomery to index and cross-index certain records, and prescribing the manner of payment for performing such work.

An act to empower the circuit judge of the Thirteenth Judicial District to fill by appointment the vacancy caused by the death of the late master commissioner in chancery for the Bath circuit court.

An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

An act to amend the charter of the Lexington Library.

An act to amend section 37, chapter 1, Civil Code of Practice.

An act to amend the charter of the town of Harrodsburg.

An act to regulate the sale of spirituous liquors in Boyd county.

An act to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the eighth judicial district.

With amendments to the last seven named bills.

And that they had passed bills of the following titles, viz:

1. An act entitled "An act to amend the charter of the Central Savings Bank of Louisville," approved March 15, 1859.

2. An act to amend an act, approved March 10, 1871, entitled "An act transferring the property of and debts owing to the trustees of the Harrodsburg Academy, to the trustees of the town of Harrodsburg, Kentucky, and authorizing them to sue for the same."

3. An act for the benefit of F. M. Roberts.

4. An act for the benefit of the Middleburg and Liberty Turnpike Road Company.

5. An act to incorporate the Stamping Ground and Long Lick Turnpike Road Company, in Scott county.

6. An act to amend the charter of the Big Sandy Navigation and Manufacturing Company.

7. An act to incorporate the District of Hayfield, in Campbell county.

8. An act amending sections 87 and 450 of the Civil Code of Practice.

9. An act authorizing the appointment of secretaries of courts to take down evidence.

10. An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or in one half mile of the corporate limits thereof.

11. An act to amend an act, entitled "An act to amend the charter of Hartford," approved March 2, 1867.

12. An act to amend an act, entitled "An act to establish the People's Bank," approved February 15, 1856.

13. An act to incorporate, at the town of Walton, in the county of Boone, an Agricultural and Mechanical Association.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 12th to the Committee on Banks; the 2d to the Committee on Education; the 3d to the Committee on Claims; the 4th, 5th, and 6th to the Committee on Internal Improvement; the 7th and 11th to the Committee on Corporate Institutions; the 8th to the Committee on Codes of Practice; the 9th to the Committee on Circuit Courts; the 10th to the Committee on Religion; and the 13th to the Committee on Agriculture and Manufactures.

The House took up the amendments proposed by the Senate, to bills which originated in this House, of the following titles, viz:

An act to amend the charter of the Lexington Library.

An act to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the 8th judicial district.

Said amendments were concurred in.

On motion, leave of absence, indefinitely, was granted to Messrs. Scales, Robertson, Bond, Bascom, Foree, and Tucker.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Chrisman, from the Committee on the Sinking Fund—

1. A bill to repeal an act, entitled "An act to change the time for the payment of the revenue into the State Treasury and to amend the revenue laws," approved March 22, 1871.

By Mr. Davidson, from the Committee on Propositions and Grievances—

2. A bill for the benefit of Martin county.

By Mr. Mynhier, from the Committee on County Courts—

3. A bill to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

The 1st was postponed to, and made the special order of the day for, Wednesday, the 14th instant, at 11 o'clock, A. M., and the 2d and 3d were ordered to be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bascom moved to reconsider the vote by which this House, on yesterday, refused to order to a third reading, and thereby rejected, a bill from the Senate, entitled

An act to re-enact an act to amend an act, entitled "An act to provide for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other than Life Insurance Companies," approved March 12, 1871.

Mr. Blackburn moved to lay the motion to reconsider on the table.

And the question being taken on the motion of Mr. Blackburn, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. Evans and Cassilly, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Wm. Mynhier, |
| Wm. A. Allen, | W. W. Deaderick, | J. L. Nall, |
| A. C. Armstrong, | W. H. Evans, | Mat. Nunan, |
| W. W. Ayers, | James B. Fitzpatrick, | John W. Ogilvie, |
| Alpheus W. Bascom, | Manlius T. Flippin, | Julian N. Phelps, |
| W. R. Bates, | C. D. Foote, | Lewis Potter, |
| W. N. Beckham, | Joseph P. Foree, | Hiram S. Powell, |
| John A. Bell, | James Garnett, | W. L. Reeves, |
| S. C. Bell, | E. A. Graves, | John Rowan, |
| J. C. S. Blackburn, | C. P. Gray, | William Sellers, |
| Church H. Blakey, | Wm. A Hoskins, | James W. Snyder, |
| W. B. M. Brooks, | T. J. Jones, | J. S. Taylor, |
| Robert M. Carlisle, | J. S. Lawson, | C. W. Threlkeld, |
| John S. Carpenter, | J. J. McAfee, | Harry I. Todd, |
| George Carter, | J. A. McCampbell, | L. W. Tratton, |
| C. M. Clay, jr., | Bryan S. McClure, | J. L. Waring, |
| J. Guthrie Coke, | Wm. J. McElroy, | J. M. White, |
| Josiah H. Combs, | M. E. McKenzie, | Mordecai Williams, |
| Wm. G. Conrad, | J. C. Moorman, | J. N. Woods, |
| R. D. Cook, | W. A. Morin, | S. H. Woolfolk—60. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. S. Arnold, | J. P. Hampton, | T. W. Varnon, |
| B. E. Cassilly, | George M. Jessee, | E. F. Waide, |
| James S. Chrisman, | G. W. Little, | F. A. Wilson, |
| John W. Dyer, | T. J. Megibben, | Jonas D. Wilson, |
| Walter Evans, | Samuel M. Sanders, | J. M. Wright—17. |
| Wm. Cassius Goodloe, | Joseph T. Tucker, | |

A message was received from the Senate, asking to withdraw from this House the announcement of the passage by the Senate of a bill, which originated in this House, entitled

An act to change the time of holding the county court in Lincoln county.

Leave was granted, and said bill delivered to the Senate messenger.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Newport and Dayton Turnpike Company.

An act to legalize certain orders of the Mercer county court.

An act to amend an act re-establishing the court of common pleas in Hickman county, in the first judicial district.

An act concerning the county levy and taxation in Livingston county.

An act to change the time of holding the county and quarterly courts of Perry county.

An act for the benefit of district No. 3, in McLean county.

An act to amend an act, entitled "An act to authorize the Henderson county court to raise money by an ad valorem tax and issuing bonds," approved February 27th, 1867.

An act to change the time of holding the county and quarterly courts of Letcher county.

An act to amend the charter of the Dry Creek and Covington Turnpike Company.

An act to amend an act, entitled "An act to authorize the Elliott county court to levy an additional tax for county purposes," approved March 8, 1870.

An act to amend the charter of the Board of Internal Improvement for Anderson county.

An act prohibiting the vending of ardent, malt, or vinous spirits in the second magisterial district, in Mercer county.

An act authorizing the indexing of the order-books of the Mercer county court.

An act to amend an act, entitled "An act to incorporate the Salt Lick, Esculapia, and Mt. Carmel Turnpike Road Company."

An act to incorporate the trustees of the Presbyterian Church of Augusta.

An act to incorporate the Stoner Run and Kentucky River Turnpike Road, in Madison county.

An act to incorporate the Riverton Iron and Mining Company.

An act to incorporate the town of Fulton, in Fulton county.

An act regulating the time of holding the circuit courts in the counties of Perry, Breathitt, and Clay.

An act to prohibit the sale of intoxicating liquors in Benson district, in Franklin county.

An act for the benefit of V. M. Deweese, of Butler county.

An act to amend an act, entitled "An act to incorporate the town of Earlington."

An act to amend an act, entitled "An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county."

An act for the benefit of James M. Greenwade, late sheriff of Menifee county.

An act to amend the Criminal Code of Practice in relation to the taking of bail.

An act to incorporate the town of Jackson.

An act to amend section 8, article 25, chapter 28, of the Revised Statutes.

An act authorizing the voters of Mackville precinct, in Washington county, to vote on the proposition whether ardent spirits shall be sold by retail in said precinct.

An act to amend the charter of the city of Augusta, in Bracken county.

An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county.

An act for the benefit of Greenup county.

An act to repeal the charter of the Methodist Episcopal Church, South, of Louisville.

An act to authorize the county judge of Lincoln county to sell and convey the poor-house property in said county, and reinvest the proceeds.

An act to change the time of holding the McCracken county court of claims.

Resolution providing for an examination of the charitable institutions of the State.

Resolution in regard to the public buildings.

The Speaker laid before the House the report of the Regent of Kentucky University, concerning the Agricultural and Mechanical College thereof.

[*For Report—see Legislative Document No.* 17.]

On motion of Mr. Goodloe,

*Ordered*, That the Public Printer print 500 copies thereof for the use of the Institution, and 1,000 copies, wrapped and stamped, for the use of the General Assembly.

The House then took up the motion heretofore made to reconsider the vote by which this House passed a bill, entitled

A bill to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

Said vote was then reconsidered.

Mr. Dyer then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Dyer,

*Ordered*, That said bill be recommitted to the Committee on Railroads.

A message was received from the Senate, asking to withdraw from this House the announcement of their disagreement to a bill, which originated in this House, entitled

An act to establish an additional justices' district in Trigg county.

Leave was granted, and the bill returned to the Senate by its messenger.

Mr. Davidson moved to reconsider the vote by which this House, on yesterday, rejected a bill, entitled

A bill to amend an act, entitled "An act for the benefit of the State House of Reform," approved February 23, 1871.

Mr. Mynhier, from a select committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of Barren county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act repealing an act approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies;"

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869;

An act to amend section 112, chapter 1, title 6, of the Criminal Code of Practice;

An act to amend an act, entitled "An act for the benefit of the Eastern and Western Lunatic Asylums," approved February 18, 1864;

An act to mark and define the boundary line between the counties of Muhlenburg and McLean;

An act to amend the charter of the Shelby Railroad Company;

An act amending article 5, chapter 2, title 9, of the Civil Code of Practice;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of James H. Kirk, late sheriff of Marion county;

An act providing for the assessment of property in McCracken county for railroad purposes.

An act for the benefit of McCracken county;

An act for the benefit of John Ewell, jailer of McCracken county;

An act to authorize the county court of Hancock county to levy taxes to build bridges and work roads in said county;

An act authorizing the sale of the Henry county poor-house farm, and the purchase of a smaller lot of ground, with suitable buildings, for the accommodation of the white paupers of said county;

An act empowering the Bullitt county court to sell the circuit and county clerks' offices in said county;

An act to change the times of holding the Henry county quarterly court;

An act for the benefit of St. Mary's College;

An act for the benefit of Webster county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. Armstrong read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Speakers of the House of Representatives and Senate of Kentucky appoint a committee of three from the former and two from the latter to visit Kentucky Agricultural College at Lexington, and ascertain if the contract between the Kentucky University and the State has been complied with; and whether it is desirable to

take from that Institution the agricultural funds of the State and establish a State Agricultural College at that or some other point, and report at an early day next week.

On motion of Mr. Armstrong, the rule requiring a joint resolution to lie one day on the table was suspended, the said resolution taken up, twice read, and adopted.

Mr. Cardwell offered the following joint resolution, which lies one day on the table, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the two Houses of the General Assembly adjourn on Monday, the 11th day of March, 1872, they adjourn to meet again on the 1st day of January, 1873.

Mr. Foote offered the following joint resolutions, which lie one day on the table, viz:

WHEREAS, It is highly proper and important to have, at this Capitol, for the use of the General Assembly, the Court of Appeals, and the State officers, full and complete sets of all current works upon the several branches of the law, and of the reports of the decisions of the various courts in the United States and England; and whereas, a considerable fund has accumulated from the amount annually appropriated for the benefit of the State Library, and remains unexpended; therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the State Librarian be, and he is hereby, instructed to make out a full and complete list of books in said Library, giving the date and edition of each book; also a list of the books that are missing from said Library, and furnish the same to the Judges of the Court of Appeals. That the said Judges appoint a committee of one or more persons, whose duty it shall be to examine said list furnished by said Librarian, and, in conjunction with said Judges, select and purchase, from time to time, such books as may be necessary for said Library, not exceeding the amount of money under the control of said Court, and to be paid for out of said fund.

2. It shall also be the duty of said Librarian, under the direction of said committee, to cause such additional shelving to be erected in the Library room as may be necessary, from time to time, to accommodate said Library, and which shall be procured at reasonable cost, and paid for out of said fund.

Mr. Phelps offered the following resolution, viz:

WHEREAS, This House is greatly behind in its regular order of business; therefore, be it

*Resolved*, That after this day we meet each day, Sundays excepted, at 9 o'clock, A. M., and hold until 12 o'clock, M., at which time we adjourn to meet at 3 o'clock, P. M.; the evening session to be entirely devoted to the reporting of committees, until the committees have reported all the business they have in their hands.

Mr. Tucker offered an amendment to said resolution.

*Ordered*, That the further consideration of said resolution and proposed amendment be postponed till next Tuesday, at 11 o'clock, A. M.

Mr. Graves offered the following joint resolution, which lies one day on the table, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Commissioner of Insurance report to this General Assembly the following facts in regard to the Kentucky, Globe, and Hope Insurance Companies, if he has or can procure the necessary information:

1st. The number of policies now outstanding in each company, and the amount of these policies.

2d. The number of premium notes now held by each company, and the amount thereof.

3d. When will these policies expire, and whether said policies are held by other than citizens of Kentucky, and if so, what proportion are held by citizens of other States, and what States.

4th. State the amount of money collected from policy-holders in each company since the appointment of receivers.

5th. State the amount of money paid the clerk of the Louisville chancery court at each assessment on each policy in each company aforesaid, and the aggregate paid him by each company.

6th. State the losses adjusted and unpaid at the time the receivers were appointed.

7th. State the number of calls upon the policy-holders, and the amount of the last call on the same.

8th. State the losses incurred by each company since the receivers were appointed.

9th. State the amount paid the policy-holders for losses since the receivers were appointed, and post-office address of each.

10th. State the amount paid to lawyers and other persons not policy-holders, giving their names.

11th. State amount of money now in the hands of receivers of each company.

12th. State the losses now adjusted but not paid, and the post-office address of each policy-holder.

13th. State what amount has been collected by execution, and the amount collected otherwise by each company.

14th. State whether the policies of the said policy-holders in said companies, as aforesaid, have been cancelled by orders of the Louisville chancery court, and if so, where.

15th. State whether the said court, by a subsequent order, has attempted to set aside the former order of said court canceling of said policy, and where the last order was made.

Mr. Bush offered the following resolution, viz:

*Resolved*, That hereafter no member shall speak more than once on the same subject, and not longer than ten minutes at a time.

On motion, said resolution was referred to the Committee on Revised Statutes.

Mr. Bush offered the following resolution, viz:

*Resolved*, That the Auditor of Public Accounts be, and is hereby, required to report immediately the number of agents of fire insurance companies to whom he issued license from January 1st, 1871, to December 31st, 1871, inclusive; and also the number of agents of life insurance companies to whom he issued license during said period; and also the number of charters filed at his office from January 1st, 1871, to December 31st, 1871, in accordance with act approved March 18th, 1870, entitled "An act to establish an Insurance Bureau."

Which was adopted.

Mr. Rowlett offered the following joint resolution, which lies one day on the table, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the two Houses of the General Assembly adjourn on the 4th day of March, 1872, that said adjournment be *sine die*.

Leave was given to bring in the following bills, viz:

On motion of Mr. Garnett—

1. A bill to amend an act to establish an Insurance Bureau, approved March 10th, 1870, so as to require the Insurance Commissioner to be elected by the qualified voters of this Commonwealth.

On motion of Mr. Bates—

2. A bill to reduce into one the several acts relating to the town of Glasgow.

On motion of same—

3. A bill for the benefit of Barren county.

On motion of same—

4. A bill to prohibit the sale of spirituous, vinous, and malt liquors in Metcalfe county.

On motion of Mr. Williams—

5. A bill to change the time of holding the court of claims in Carter county.

On motion of same—

6. A bill for the benefit of Joseph Newburg.

On motion of same—

7. A bill for the collection of railroad tax in Elliott county.

On motion of Mr. Hoskins—

8. A bill to amend the charter of the Danville and Houstonville Turnpike Road Company.

On motion of same—

9. A bill to amend the charter of the Central Kentucky Agricultural and Mechanical Association.

On motion of Mr. Armstrong—

10. A bill to require all liens retained upon the sale of personal property to be recorded.

On motion of Mr. Brooks—

11. A bill to amend an act to prohibit the sale of intoxicating liquors in Bullitt county, approved March 21, 1871.

On motion of same—

12. A bill for the benefit of Aaron J. Simpson.

On motion of Mr. F. A. Wilson—

13. A bill to amend the charter of the Elizabethtown and Paducah Railroad, so as to enable the sheriff of Lyon county to sell certain lands in said county for railroad taxes.

On motion of same—

14. A bill to authorize the clerk of the Lyon county court to keep a separate record-book for all orders of appropriations made by the court of claims, and all other financial matters of said county.

On motion of Mr. J. R. Sanders—

15. A bill for the benefit of school district No. 31, in Carroll county.

On motion of same—

16. A bill to prevent the netting, seining, and trapping of fish in Little Kentucky river, in Trimble and Carroll counties.

On motion of same—

17. A bill to consolidate the towns of Milton and Kingston, in Trimble county, &c.

On motion of Mr. Walter Evans—

18. A bill to repeal the law creating an Insurance Bureau for this State.

On motion of Mr. Hampton—

19. A bill for the benefit of steam mills of Clay county.

On motion of Mr. Woods—

20. A bill for the benefit of John T. Yates.

On motion of same—

21. A bill to amend the charter of Marion.

On motion of Mr. Powell—

22. A bill to further regulate the time of holding courts in the 15th judicial district.

On motion of Mr. Goodloe—

23. A bill for the benefit of the Chilesburg and Clintonville Turnpike Company.

On motion of Mr. Davidson—

24. A bill attaching five citizens of Floyd county to the county of Pike.

On motion of same—

25. A bill for the benefit of Richard M. Wells.

On motion of Mr. Todd—

26. A bill to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county.

On motion of Mr. Conrad—

27. A bill to appoint trustees of Grant Cemetery.

On motion of same—

28. A bill in relation to the janitor or porter of the State Librarian and Superintendent of Public Instruction.

On motion of Mr. Sellers—

29. A bill for the protection of game in Garrard county.

On motion of Mr. Combs—

30. A bill authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river.

On motion of same—

31. A bill authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river.

On motion of same—

32. A bill for the benefit of the securities of Robert Hamilton.

On motion of Mr. Nall—

33. A bill to create an additional magistrates' and constable's district in Hardin county.

On motion of Mr. Jessee—

34. A bill for the benefit of school district No. 46, in Henry county.

On motion of same—

35. A bill for the benefit of the heirs of L. Jones, deceased, of Henry county.

On motion of Mr. Jones—

36. A bill regulating the proceedings before justices' courts in this Commonwealth.

On motion of same—

37. A bill for the benefit of David Waltham.

On motion of Mr. Arnold—

38. A bill to amend the charter of the Mississippi Levee Company, approved January 30th, 1872.

On motion of same—

39. A bill to aid in the construction of a levee on the Mississippi river, in Fulton county.

On motion of same—

40. A bill for the benefit of John Wyatt.

On motion of same—

41. A bill to incorporate the Fulton and Hickman Railroad Company.

On motion of same—

42. A bill to incorporate the Tennessee and Mississippi River Railroad Company.

On motion of same—

43. A bill to allow the citizens of Hickman county to vote at the next August election for and against a tax to keep up public roads in said county.

On motion of Mr. Foote—

44. A bill relating to the special terms of the county courts.

On motion of Mr. Carlisle—

45. A bill for the benefit of Nelson Bridges, of Kenton county.

On motion of Mr. Cook—

46. A bill regulating the fees of jailers of this Commonwealth.

On motion of Mr. Fitzpatrick—

47. A bill for the benefit of Daniel Gannon.

On motion of Mr. Varnon—

48. A bill to amend the charter of the town of Hustonville.

On motion of same—

49. A bill to amend the charter of the Turnersville and McKinney's Station Turnpike Road Company.

On motion of same—

50. A bill for the benefit of James P. Baily.

On motion of same—

51. A bill for the benefit of school district No. 9, in Lincoln county.

On motion of same—

52. A bill to repeal an act to protect fish in Dix river.

On motion of Mr. Waide—

53. A bill to regulate the price to be paid for public printing.

On motion of same—

54. A bill to authorize the sale and future management of the stock owned by the State in turnpike roads.

On motion of Mr. Wright—

55. A bill in relation to the effect of tax receipts.

On motion of Mr. Carpenter—

56. A bill to incorporate the Falls City Real Estate and Banking Company.

On motion of same—

57. A bill exempting persons over seventy years from jury duty.

On motion of Mr. Cassilly—

58. A bill to make retailers of ardent, malt, and vinous liquors liable for damages to a father, mother, wife, son, daughter, sister, or brother who may suffer damage in person, property, or maintenance, by reason of the sale of any of said liquors.

On motion of Mr. Speaker (McCreary)—

59. A bill for the benefit of Samuel Biggerstaff, of Madison county.

On motion of same—

60. A bill requiring the county clerks of this Commonwealth to keep a record of all license granted by them which authorizes the standing of stallions and jacks.

On motion of Mr. Graves—

61. A bill to extend the limits of the town of New Market, &c.

On motion of same—

62. A bill to protect fish in the Rolling Fork of Salt river.

On motion of Mr. Ogilvie—

63. A bill for the benefit of E. B. Meyers.

On motion of same—

64. A bill for the benefit of Bertha Goodheart.

On motion of same—

65. A bill to amend the charter of the Elizabethtown and Paducah Railroad.

On motion of same—

66. A bill to incorporate the Paducah and Hinkleville Turnpike Company.

On motion of same—

67. A bill to amend the charter of the Paducah Gas-light Company.

On motion of Mr. Graves—

68. A bill to give the mechanics of Marion county a law similar to the one in Louisville.

On motion of Mr. McAfee—

69. A bill to incorporate the Harrodsburg and Chaplin River Turnpike Company.

On motion of same—

70. A bill to incorporate the Adair Hotel Company, in Mercer county.

On motion of same—

71. A bill for the benefit of Sallie Saunders.

On motion of Mr. Flippin—

72. A bill to provide for the erection of a school-house in district No. 43, in Monroe county.

On motion of Mr. Beckham—

73. A bill to protect the navigation of the Beech Fork of Salt river, in Nelson county.

On motion of Mr. Taylor--

74. A bill to increase the pay of the justices of the peace of Ohio county for holding courts of claims, &c.

On motion of Mr. Deaderick—

75. A bill for the benefit of R. H. Brumback and J. W. Mullins, of Pendleton county.

On motion of Mr. Foree—

76. A bill to amend an act to authorize the Shelby county court to issue bonds for turnpikes.

On motion of same—

77. A bill to charter a graded school in the town of Hardinsville.

On motion of Mr. McKenzie—

78. A bill to make provision for the compensation of jailers of this Commonwealth in certain cases.

On motion of Mr. Dyer—

79. A bill for the benefit of school district No. 55, in Union county.

On motion of Mr. Potter—

80. A bill to amend an act to incorporate the Bowling Green and Madisonville Railroad Company.

On motion of Mr. Nunan—

81. A bill to increase taxation in Washington county for county purposes.

On motion of same—

82. A bill to regulate the listing of property in Washington county for local taxation.

On motion of same—

83. A bill to incorporate the Cross Roads and Cornishville Turnpike Road Company, in Washington county.

On motion of Mr. Bailey—

84. A bill to restrict the jurisdiction of the marshal of Slaughtersville.

On motion of Mr. Little—

85. A bill for the benefit of J. T. Freeman.

On motion of Mr. Blackburn—

86. A bill for the benefit of the sureties of John Combs.

On motion of Mr. Waring—

87. A bill for the benefit of Wm. L. Bridges.

On motion of Mr. Rowlett—

88. A bill to amend an act incorporating Rio Bridge Company.

On motion of Mr. Baker—

89. A bill to amend the charter of the Newport Street Railway Company.

On motion of same—

90. A bill to amend the charter and the laws of the town of Bellevue.

On motion of Mr. Morin—

91. A bill to incorporate the District of Hayfield, in Campbell county.

*Ordered*, That the Committee on Insurance prepare and bring in the 1st and 18th; the Committee on Corporate Institutions the 2d, 17th, 21st, 23d, 27th, 67th, 70th, 83d, 88th, and 91st; the Committee on Religion the 4th, 11th, 37th, and 48th; the Committee on County Courts the 5th, 7th, 14th, 30th, 31st, 35th, 44th, 74th, 76th, 81st, 82d, 84th, and 86th; the Committee on Propositions and Grievances the 6th, 12th, 19th, 24th, 26th, 32d, 33d, 47th, and 59th; the Committee on Internal Improvement the 8th, 38th, 39th, 43d, 49th, 66th, 69th, and 73d; the Committee on Agriculture and Manufactures the 9th; the Committee on the Revised Statutes the 10th, 29th, 46th, 55th, 57th, 58th, 60th, 63d, 64th, and 78th; the Committee on Railroads the 13th, 41st, 42d, 65th, and 80th; the Committee on Education the 15th, 25th, 34th, 51st, 72d, 77th, and 79th; the Committee on Privileges and Elections the 16th and 75th; the Committee on the Judiciary the 20th,

45th, 87th, and 89th; the Committee on Circuit Courts the 22d and 90th; the Committee on Library the 28th; the Committee on Claims the 40th and 71st; the Committee on Ways and Means the 50th; the Committee on Codes of Practice the 52d; the Committee on the Sinking Fund the 54th; the Committee on Banks the 56th; the Committee on Charitable Institutions the 85th; a select committee, consisting of Messrs. Morin, T. M. Johnson, and S. C. Bell, the 3d; a select committee, consisting of Messrs. Jones, Phelps, Corbett, Threlkeld, Arnold, Allen, J. A. Bell, and Nall, the 36th; a select committee, consisting of Messrs. Graves, Chrisman, and J. A. Bell, the 53d; a select committee, consisting of Messrs. Graves, Davidson, and Corbett, the 61st; a select committee, consisting of Messrs. Graves, Nall, Brooks, S. M. Sanders, and Beckham, the 62d; and a select committee, consisting of Messrs. Graves, Ayers, and Ogilvie, the 68th.

And then the House adjourned.

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## MONDAY, FEBRUARY 12, 1872.

The following petitions were presented, viz:

By Mr. Jones—

1. The petition of the executor of J. G. Eden, deceased, praying the passage of an act allowing him further time to pay into the Treasury the liability of the decedent as surety on the bond of J. C. Calhoun, late sheriff of McCracken county.

By Mr. Conrad—

2. The petition of sundry citizens of Mount Zion district, Grant county, praying the passage of an act prohibiting the sale of spirituous liquors within four miles of Mount Zion Baptist Church, in said county.

By Mr. Wright—

3 The petition of the manufacturers of plug and twist tobacco, in relation to the inequality of the internal revenue tax on tobacco.

By Mr. Bailey—

4. The petition of citizens of Claysville, Webster county, praying

the passage of an act prohibiting the granting of license for the sale of spirituous liquors in said town, to take effect when a majority of the legal voters therein shall vote for such law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Ways and Means; the 2d and 4th to the Committee on Religion; and the 3d to a select committee, consisting of Messrs. Foote, Ogilvie, and Wright.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Stove, Grate, and Mantel Manufacturing Company," approved March 15th, 1869.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the court-house in Edmonton.

An act to provide for defining and marking the line between the counties of Christian and Caldwell.

An act amending section 13, chapter 30, of the Revised Statutes, title "Descent and Distribution."

An act to amend section 1, article 1, chapter 4, of the Revised Statutes.

An act for the benefit of Wm. A. Byram, sheriff of Nicholas county.

That they had passed a bill and concurred in a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Danville and Nashville Railroad Company.

Resolution directing appointment of a committee to visit Kentucky Agricultural College at Lexington.

And that they had passed bills of the following titles, viz:

1. An act to prohibit the sale of spirituous, vinous, and malt liquors within the Crittenden magistrates' district, in Grant county.

2. An act to amend and reduce into one the several acts in relation to the town of Calhoun.

3. An act to amend the 28th section of chapter 103, of the Revised Statutes, title "Turnpike and Plank Roads."

4. An act to amend the charter of the town of Crittenden, in Grant county.

5. An act amending an act, entitled "An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown."

6. An act to authorize the Casey county court to increase the county levy in said county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Religion; the 2d and 4th to the Committee on Corporate Institutions; the 3d to the Committee on the Revised Statutes; the 5th to the Committee on Education; and the 6th to the Committee on County Courts.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to incorporate the Ludlow and Pleasant Run Turnpike Road Company;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company;"

An act to establish the Ohio River and Tygart's Drain district, in Greenup county;

An act to facilitate the collection of taxes in McCracken county;

An act to amend an act incorporating the town of Calvert City, in Marshall county;

An act to amend an act to incorporate the Clark County Agricultural Association;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Boston Station, in Pendleton county.

An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county.

An act to re-run and mark the dividing line between the counties of Hancock and Ohio.

An act in relation to the levy court of Spencer county.

An act to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges.

An act in relation to delinquent tax-payers in Union county.

An act to legalize the subscription of stock to the New Castle and Kentucky River Turnpike Road Company by the court of claims of Henry county.

An act for the benefit of Augusta and Dover Turnpike Road Company, in Bracken county.

An act to amend the act of March 21, 1871, for the benefit of late clerks and other officers.

An act authorizing and empowering the county court of levies and disbursements of Rockcastle county to levy an additional capitation and ad valorem tax for the purpose of building a new court-house, clerks' offices, &c., for said county.

An act for the benefit of the Augusta and Minerva Turnpike Road Company, in Bracken county.

An act for the benefit of McCracken county.

An act for the benefit of common school district No. 12, in Woodford county.

An act for the benefit of St. Mary's College.

An act providing for the assessment of property in McCracken county for railroad purposes.

An act to authorize the county court of Hancock county to levy taxes to build bridges and work roads in said county.

An act for the benefit of James H. Kirk, late sheriff of Marion county.

An act to change the time of holding the Henry county quarterly court.

An act for the benefit of Webster county.

An act empowering the Bullitt county court to sell the circuit and county court clerks' offices in said county.

An act for the benefit of John Ewell, jailer of McCracken county.

An act authorizing the sale of the Henry county poor-house farm, and the purchase of a smaller lot of ground, with suitable buildings, for the accommodation of the white paupers of said county.

An act to incorporate the Henderson Bridge Company.

Resolution instructing our Senators and requesting our Representatives in Congress, to secure an appropriation for locking and damming the Ohio river.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Varnon, from a select committee—

A bill for the benefit of Merrill Hardin.

By Mr. Powell, from a select committee—

2. A bill to increase the price of vacant and unappropriated land in the counties of Breathitt and Perry.

By Mr. Carpenter, from the Committee on Insurance—

3. A bill to alter and amend the provisions applicable to Mutual Fire Insurance Companies contained in an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12, 1871.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

*Ordered*, That the 1st and 2d named bills be recommitted to the Committee on the Judiciary, and the 3d be printed and made the special order of the day for Tuesday, the 20th instant, at 11 o'clock, A. M.

On motion of Mr. Coke,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by this House of a bill, entitled

An act for the benefit of Barren county.

Said message being delivered to the Senate, the request of the House was complied with, and the bill returned and laid on the Clerk's table.

And thereupon Mr. Coke moved to reconsider the vote by which the said bill was passed.

Mr. Garnett moved to lay the motion of Mr. Coke on the table.

And the question being taken on the motion of Mr. Garnett, it was decided in the affirmative.

And so the House refused to reconsider said vote.

The Clerk was directed to report said bill to the Senate as passed by this House.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Davidson, from a select committee—

A bill to amend the town charter of New Market, in Marion county.

By Mr. Beckham, from a select committee—

A bill for the benefit of Henry county.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek.

By same—

A bill for the benefit of Geo. W. Brown, of Letcher county.

By same—

A bill to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county.

By same—

A bill for the benefit of the heirs of R. M. Biggs, deceased.

By same—

A bill to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county.

By same—

A bill for the benefit of Stephen T. Blair and Samuel Blair, of Letcher county.

By same—

A bill to incorporate the town of Montgomery, in Trigg county.

By same—

A bill to amend the 1st section of an act, entitled "An act to prevent the destruction of fish in Clover creek, in Breckinridge county."

By same—

A bill for the benefit of Wm. Cummins and his sureties.

By same—

A bill for the benefit of Samuel Biggerstaff, of Madison county.

By same—

A bill for the benefit of the Henry, Oldham, and Jefferson Turnpike Road Company.

By same—

A bill for the benefit of the Beard's Station, Floydsburg, and Akin Turnpike Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill for the benefit of W. F. Robards, of Mercer county.

By same—

A bill for the benefit of S. Creed Cardwell.

Without the expression of opinion thereon by the committee.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

The question was then taken on the passage of each of said bills, and it was decided in the negative.

And so each of said bills were rejected.

Mr. McAfee then moved to reconsider the votes, respectively, by which said bills were rejected.

The House then took up the motion to reconsider the vote by which this House refused to concur in an amendment proposed by the Senate, to a bill which originated in this House, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

The question was then taken on the motion to reconsider said vote, and it was decided in the affirmative.

The amendment (as a substitute) proposed by the Senate to said bill is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the law now regulating the compensation to the Public Binder be so amended that he shall have twenty per cent. advance on all work done by him for the State, in lieu of the thirty-three and one third per cent. now allowed on work by law. All acts in conflict herewith are hereby repealed.

§ 2. This act to have force and effect from its passage.

Amend the title so as to read,

An act in regard to Public Binder and his compensation.

The question was then again taken on concurring in said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Sanders, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| W. N. Beckham, | W. W. Deaderick, | John P. Rowlett, |
| John A. Bell, | James B. Fitzpatrick, | J. P. Sacksteder, |
| Church H. Blakey, | C. D. Foote, | Harry I. Todd, |
| W. W. Bush, | Clinton Griffith, | L. W. Trafton, |
| Robert M. Carlisle, | George M. Jessee, | Mordecai Williams, |
| R. L. Cooper, | W. A. Morin, | J. M. Wright—20. |
| Joseph M. Davidson, | W. L. Reeves, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Walter Evans, | Mat. Nunan, |
| Wm. A. Allen, | W. H. Evans, | John W. Ogilvie, |
| A. C. Armstrong, | Manlius T. Flippin, | Julian N. Phelps, |
| A. S. Arnold, | James Garnett, | Lewis Potter, |
| W. W. Ayers, | E. A. Graves, | Hiram S. Powell, |
| G. W. Bailey, | C. P. Gray, | John Rowan, |
| W. R. Bates, | J. P. Hampton, | J. R. Sanders, |
| S. C. Bell, | Wm. A. Hoskins, | Samuel M. Sanders, |
| J. C. S. Blackburn, | T. J. Jones, | Wm. Sellers, |
| Wm. F. Bond, | J. S. Lawson, | James W. Snyder, |
| Thomas P. Cardwell, | G. W. Little, | J. S. Taylor, |
| George Carter, | J. J. McAfee, | C. W. Threlkeld, |
| James S. Chrisman, | J. A. McCampbell, | T. W. Varnon, |
| C. M. Clay, jr., | Bryan S. McClure, | J. L. Waring, |
| J. Guthrie Coke, | Wm. J. McElroy, | C. H. Webb, |
| Josiah H. Combs, | M. E. McKenzie, | J. M. White, |
| William G. Conrad, | T. J. Megibben, | F. A. Wilson, |
| R. D. Cook, | J. C. Moorman, | Jonas D. Wilson, |
| Thomas H. Corbett, | Wm. Mynhier, | J. N. Woods, |
| J. E. Cosson, | J. L. Nall, | S. H. Woolfolk—61. |
| John W. Dyer, | | |

And so the House again refused to concur in the amendment proposed by the Senate.

The House took up the amendments proposed by the Senate, to bills which originated in this House, of the following titles, viz:

An act to increase the bonded debt of the city of Dayton, in Campbell county.

An act to amend the charter of the town of Harrodsburg.

An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

An act to regulate the sale of spirituous liquors in Boyd county.

An act to incorporate the town of Kingston, in Madison county.

An act to amend section 37, chapter 1, Civil Code of Practice.

Said amendments were concurred in, and the title of the last named bill changed so as to read,

An act to amend section 37, chapter 1, title 3, Civil Code of Practice.

Leave was given to bring in the following bills, viz:

On motion of Mr. Davidson—

1. A bill to incorporate the town of Paintsville.

On motion of Mr. S. M. Sanders—

2. A bill submitting the question whether the conventional rate of interest shall stand as the law of this State to the qualified voters thereof.

*Ordered*, That the Committee on Corporate Institutions prepare and bring in the 1st; and a select committee, consisting of Messrs. S. M. Sanders, Ayers, Graves, Gray, and McClure, the 2d.

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to prevent the destruction of fish in Cumberland and Tennessee rivers and their tributaries.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Ayres offered an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Davidson, from the Committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled

An act for the benefit of Pearce, Wallingford & Co.

Reported the same without amendment.

On motion of Mr. Rowlett, said bill was recommitted to the Committee on Banks.

The House took up for further consideration an unfinished order of a former day, viz:

A bill for the appointment of official reporters and for the preservation of evidence in certain cases in Jefferson county.

The amendments heretofore offered by Mr. Garnett were adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chrisman offered the following resolutions, viz:

WHEREAS, There exists in the public mind an opinion that the salaried officers of this Commonwealth are paid very disproportionately, as regards the services rendered, in some cases, and in others as regards the proper equality which should be observed in regulating such salaries; and whereas, this House has created a Committee on Retrenchment and Reform, for the purpose of considering any evils that may exist in the body-politic, and suggest suitable remedies therefor; and whereas, the first and highest duty of a legislator is to protect the interest of the people, and expose the errors that may creep into the administration of Government; and whereas, the following statement of salaries paid officers and employees of the State Departments exhibits a great disproportion between the amounts paid and services rendered—

1. *Resolved*, That the Committee on Retrenchment and Reform inquire—

| | |
|---|---|
| 1. If it be true that the salary of the Governor of this Commonwealth is | $5,000 |
| Secretary of State | 1,500 |
| Assistant Secretary of State | 800 |
| Total Executive Department | $7,300 |

| | | |
|---|---|---|
| 2. | Treasurer, per annum | $2,400 |
| | Clerk | 1,000 |
| | Total Treasury Department | $3,400 |
| 3. | Quarter-Master General, per annum | $2,400 |
| | 1st Clerk | 1,200 |
| | 2d Clerk | 1,000 |
| | Total Quarter-Master's Department | $4,600 |
| 4. | Register of Land Office, per annum | $2,000 |
| | 1st Clerk | 1,200 |
| | 2d Clerk | 700 |
| | Total Register Land Office | $3,900 |
| 5. | Adjutant General, per annum | $1,200 |
| 6. | Librarian, per annum | $1,000 |
| 7. | Superintendent Public Instruction, per annum | $2,000 |
| | Clerk | 1,000 |
| | Total Superintendent Public Instruction | $3,000 |
| 8. | Court of Appeals: | |
| | 4 Judges, at $5,000 each | $20,000 |
| 9. | Circuit Courts: | |
| | 16 Judges, at $3,000 each | $48,000 |
| 10. | Common Pleas Courts: | |
| | 4 Judges, at $3,000 each | $12,000 |
| | 1 Judge, at $1,500 | 1,500 |
| | Total Common Pleas Courts | $13,500 |
| 11. | Auditor of Public Accounts: | |
| | Auditor's salary | $2,500 |
| | Assistant Auditor | 2,000 |
| | 8 Clerks' salaries | 8,000 |
| | Total Auditor | $12,500 |
| 12. | Bureau of Insurance: | |
| | Commissioner | $4,000 |
| | Assistant Commissioner | 2,000 |
| | 1st Clerk | 2,000 |
| | 2d Clerk | 1,800 |
| | 3d Clerk | 1,800 |
| | 4th Clerk | 1,500 |
| | 5th Clerk | 1,500 |
| | 6th Clerk | 1,200 |
| | 7th Clerk | 1,200 |
| | 8th Clerk | 1,000 |
| | Treasurer of State, by reason of service for this Bureau | 600 |
| | Total Insurance Bureau | $18,600 |

2. That if said committee ascertain the foregoing list to be correct, or approximating the amount of salaries paid for the several departments named, said committee shall ascertain how the amount of labor performed in said departments, and each of them, compare with the amount of money therefor, and if or not any or all of said departments render services equivalent to the cost thereof; also, if or not the services so rendered, and the pay received therefor, are graded and regulated upon principles of equality and justice, as compared with each other. Said committee shall report to this House the result of the investigation so made, and for this purpose are hereby authorized to send for persons and papers.

3. That said committee shall also report to this House, if the investigation directed to be made shall verify the facts herein stated, whether any legislation is necessary to establish an equality of salaries to service, and as between the several departments named.

On motion of Mr. Foote,

*Ordered*, That said resolutions be printed, and that they be referred to the Committee on Reduction of Salaries and Reform.

And then the House adjourned.

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## TUESDAY, FEBRUARY 13, 1872.

The following petitions were presented, viz:

By Mr. Corbett—

1. The petition of sundry citizens of Ballard county, praying the passage of an act for the better protection of sheep in this Commonwealth.

By same—

2. The petition of sundry citizens and the trustees of the town of Millburn, in Ballard county, praying certain amendments to their town charter.

By Mr. Mynhier—

3. The petition of certain citizens of Morgan and Rowan counties, praying a certain amendment to the charter of the Licking River Lumber and Mining Company.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures, and the 2d and 3d to the Committee on Corporate Institutions.

Mr. Arnold moved to discharge the Committee on Propositions and Grievances from the further consideration of a petition, to them referred, from certain citizens of Ballard county, praying to be attached to the county of Hickman.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Arnold, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. Guthrie Coke, | Julian N. Phelps, |
| Wm. A. Allen, | Wm. G. Conrad, | Hiram S. Powell, |
| George W. Anderson, | R. D. Cook, | W. L. Reeves, |
| A. C. Armstrong, | John W. Dyer, | John Rowan, |
| A. S. Arnold, | W. H. Evans, | J. P. Sacksteder, |
| R. Tarv. Baker, | James B. Fitzpatrick, | J. R. Sanders, |
| W. N. Beckham, | C. D. Foote, | C. C. Scales, |
| John A. Bell, | James Garnett, | James W. Snyder, |
| S. C. Bell, | C. P. Gray, | Wm. Tarlton, |
| J. C. S. Blackburn, | J. P. Hampton, | C. W. Threlkeld, |
| Church H. Blakey, | George M. Jessee, | Joseph T. Tucker, |
| Wm. F. Bond, | E. Polk Johnson, | E. F. Waide, |
| W. W. Bush, | G. W. Little, | J. M. White, |
| John S. Carpenter, | J. C. Moorman, | Jonas D. Wilson, |
| George Carter, | W. A. Morin, | J. M. Wright—46. |
| B. E. Cassilly, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | E. A. Graves, | John W. Ogilvie, |
| Alpheus W. Bascom, | Wm. A Hoskins, | Lewis Potter, |
| Thomas P. Cardwell, | T. J. Jones, | William Sellers, |
| Josiah H. Combs, | J. J. McAfee, | J. S. Taylor, |
| R. L. Cooper, | J. A. McCampbell, | Harry I. Todd, |
| Thomas H. Corbett, | Bryan S. McClure, | L. W. Trafton, |
| J. E. Cosson, | T. J. Megibben, | T. W. Varnon, |
| Joseph M. Davidson, | Wm. Mynhier, | J. L. Waring, |
| Walter Evans, | J. L. Nall, | Mordecai Williams, |
| Manlius T. Flippin, | Mat. Nunan, | J. N. Woods—31. |
| Joseph P. Foree, | | |

And so said committee was discharged from the further consideration of said petition.

On motion of Mr. Arnold, said petition was referred to the Committee on the Judiciary.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act to incorporate the Clark County Agricultural Association.

An act to establish the Ohio River and Tygart's Drain district, in Greenup county.

An act to amend an act incorporating the town of Calvert City, in Marshall county.

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to repeal in part an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7th, 1871;

An act to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the 8th judicial district;

An act to amend section 17, chapter 24, Revised Statutes;

An act to amend an act, entitled "An act to amend the road law in Bracken county;"

A act authorizing the clerk of the Harrison circuit court to complete and continue a cross-index to judgments;

An act to amend the charter of the Kentucky River Turnpike Road Company;

An act for the benefit of the Winchester and Red River Iron Works Turnpike Road Company, and the Schollsville branch of said road;

An act requiring the circuit and county court clerks of Montgomery to index and cross-index certain records, and prescribing the manner of payment for performing such work;

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company;

An act to empower the circuit judge of the Thirteenth Judicial District to fill by appointment the vacancy caused by the death of the late master commissioner in chancery for the Bath circuit court;

Resolution directing appointment of a committee to visit Kentucky Agricultural College at Lexington;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Under the resolution heretofore adopted to appoint commissioners to visit Agricultural College at Lexington, the Speaker appointed, on the part of the House of Representatives, Messrs. Tucker, Bascom, and Ayers.

Mr. Baker moved to reconsider the vote by which the House of Representatives, on yesterday, concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to increase the bonded debt of the city of Dayton, in Campbell county.

And the question being taken thereon, it was decided in the negative.

And so said vote was reconsidered.

The question was then again taken on concurring in the Senate's amendment, and it was decided in the negative.

And so said amendment was disagreed to.

Mr. Tucker moved to reconsider the vote by which, on yesterday, the House of Reprsentatives concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

And the question being taken on the motion of Mr. Tucker, it was decided in the affirmative.

And so said vote was reconsidered.

And the question being again taken on concurring in the said proposed amendment, it was decided in the negative.

And so said amendment was disagreed to.

On motion, Mr. Blakey is excused from service on the Committee on Reform, &c., raised under the resolution of Mr. McClure, heretofore adopted.

*Ordered*, That Mr. Allen be appointed thereon, in the place of Mr. Blakey, discharged.

The Speaker laid before the House the response of the Auditor of Public Accounts to a resolution adopted by the House of Representatives on the 10th inst., calling for certain information in regard to insurance, &c.

Said response was taken up, and read as follows, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., February 12th, 1872.

HON. JAMES B. MCCREARY, *Speaker House of Representatives:*

SIR: In obedience to a resolution, adopted by the House of Representatives on the 10th inst., calling on me to report the number of agents to whom fire insurance licenses were issued from the 1st of January, 1871, to 31st December, inclusive; also the number of agents of life insurance companies to whom licenses were issued during the same period; and also the number of charters filed in this Department from the 1st of January, 1871, to 31st of December, 1871, I respectfully respond: that the number of fire insurance licenses issued during the period stated was six hundred and eighty-six (686), and the number of licenses issued to agents of life insurance companies, during the same period, was one hundred and thirty-six (136). I further respond, that there were no charters of insurance companies filed in this Department during the period stated as aforesaid.

I have the honor to be,
Your obedient servant,
D. HOWARD SMITH, *Auditor.*

On motion, leave of absence, indefinitely, was granted to Messrs. F. A. Wilson and Conrad.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Graves, from the Committee on Ways and Means.

A bill for the benefit of W. G. Blount, executor of James G. Edens, deceased, of McCracken county.

By Mr. Gray, from the Committee on Education—

A bill to amend an act, entitled "An act for the benefit of common school districts in Clinton county."

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. J. D. Wilson—

1. A bill to amend the charter of the Hardinsburg and Cloverport Turnpike Road Company.

On motion of same—

2. A bill to amend the charter of the town of Cloverport.

On motion of Mr. Arnold—

3. A bill to incorporate the Columbus Male and Female Academy.

On motion of Mr. Mynhier—

4 A bill to repeal parts of sections 2 and 4 of an act to incorporate the Licking River Lumber and Mining Company, approved January 25, 1868.

On motion of Mr. Griffith—

5. A bill to amend the charter of the town of Curdsville, in Daviess county.

*Ordered*, That the Committee on Internal Improvement prepare and bring in the 1st and 4th; the Committee on Corporate Institutions the 2d and 5th; and the Committee on Education the 3d.

Mr. Wright, from a select committee, to whom was referred the petition of sundry citizens in regard to the matter referred to therein, reported the following resolution, viz:

*Resolved*, That our Senators and Representatives in Congress be, and they are hereby, requested to vote for, and endeavor to have adopted, such a law as shall fix either a uniform rate of tax on tobacco, or if it should appear best to have a graded tax, that such graded tax shall be assessed uniformly on the material used by all manufacturers alike, without discrimination; and by no means to favor any law discriminating against plug or twist manufacturers, who constitute such a large and important branch of the industry of our State, as well as of the country at large.

Said resolution being twice read, was unanimously adopted.

Mr. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to incorporate the Grand Central Industrial Exposition,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Tucker,

*Ordered*, That the further consideration of a bill, entitled

A bill to provide for voting by ballot in the election of Representatives in Congress,

Be postponed to, and made the special order of the day for, Friday, the 16th inst., at 11 o'clock, A. M.

According to order, the House took up for further consideration a bill, entitled

A bill to amend an act, entitled "An act to suppress the selling giving, or furnishing spirituous, vinous, or malt liquors to minors."

Mr. Graves offered a substitute by way of amendment to said bill.

*Ordered*, That said bill and amendment be recommitted to the Committee on the Revised Statutes.

The hour of 12 o'clock, M., having arrived, the House took up from the orders of the day a bill from the Senate, entitled

An act to regulate foreign corporations engaged in operating railroads in the State of Kentucky.

Mr. Sellers offered amendments to said bill, which were rejected.

*Ordered*, That said bill be read a third time.

Said bill was then read the third time as follows, viz:

WHEREAS, Some of the railroads constructed in this State, under charters granted by the Commonwealth, are being controlled and operated by foreign corporations or companies, through their agents, under a claim of lease or purchase, and have also claimed and exercised the right and privilege, as citizens or corporations of other States, to cause the removal of actions instituted in the State Courts to the Federal Courts, to the great inconvenience and detriment of the citizens of this Commonwealth; and whereas, it is contrary to the policy of this Commonwealth, and against the interest of its citizens, to permit such corporations and companies, through their agents, to prosecute and conduct such business, and exercise such rights and privileges as are not by law conferred upon the citizens of this State, except upon such terms and conditions as may be prescribed by the laws of this State; therefore,

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all such foreign corporations or persons, organized under charters granted by other States, now engaged, or that may hereafter be engaged, in running and operating any of the railroads of this State, either in their own name or that of others, are permitted to do so upon the following conditions, viz: That such foreign corporations, within sixty days from the passage of this act, or within sixty days from the time of commencing business in this State, shall procure from the board of directors or managers of such corporation a duly authenticated order or resolution authorizing its agents to contract and be contracted with in the name of such corporation, and

further agreeing that all citizens resident, and bodies corporate of this State, having claims or demands against said corporation, may sue for, and prosecute to final judgment, all such matters in any of the courts of competent jurisdiction in any of the counties through which said road may be constructed, subject, however, to the same right of removal, by change of venue, as is or may be given to citizens of this State; which authority shall be put to record in the county court clerk's office of some one of the counties through which said road runs, a certified copy of which shall be competent evidence in any of the courts of this Commonwealth.

§ 2. That service of process upon such agent or agents shall be deemed a valid service upon such company.

§ 3. That any such corporation or company failing or refusing to comply with the foregoing provisions, or that shall, after the passage of this act, cause to be removed any suit or matter of litigation with a citizen resident, or corporation of this State, from the State Court to the United States District or Circuit Court, shall thereafter be prohibited from doing business in this State; and all contracts thereafter made by such corporation, through its agents, shall be null and void as to such parties; and all parties and persons continuing to contract and do business in this State, either in their own name or that of others, in violation of this act, shall be deemed guilty of a misdemeanor, and for each day he or they shall so offend may, upon indictment, be fined not less than fifty dollars, and imprisoned not less than one week for each day they so offend, either or both, in the discretion of a petit jury.

§ 4. That such corporation or companies engaged in the business aforesaid in this State shall be deemed common carriers, and shall not discriminate in carrying freight for or against any individual or company, but shall, so far as its rolling stock and equipments will permit, transport all freight over said road that may be offered upon payment, if required or tendered, of the rates of tariff allowed by law or the charter of such road; and if such road is not supplied with the necessary cars to do the business required, it shall be lawful for any individual or company to furnish such necessary cars for their own use; and it shall be the duty of the company or persons controlling and operating such road to carry freight in such cars to any point on the line of said road that may be required, and return the cars to the parties furnishing them as speedily as can conveniently or reasonably be done. That any person or company being damaged by the failure or refusal of the company controlling said road to discharge the duties enjoined in this section, may, by action, recover the actual damage sustained, and fifty per cent. in addition.

§ 5. That any persons desiring to engage in the business of mining stone-coal, milling, or the manufacture of iron, adjacent to the line of such railroad, may, under the direction of a competent engineer, construct a switch, to be connected with said road, for the convenience of their said business, upon condition, however, that said parties shall execute a covenant to the Commonwealth of Kentucky, in the county court of said county, with good surety, to be approved by the court, to the effect that he or they will keep a constant at-

tendant upon such switch, and will pay all damages to the parties entitled by reason of the improper construction of same, or negligence in keeping it properly adjusted, so as not to obstruct passing trains; and all parties injured may recover reasonable and adequate damages.

§ 6. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and Sellers, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | J. L. Nall, |
| Wm. A. Allen, | Thomas H. Corbett, | John W. Ogilvie, |
| George W. Anderson, | J. E. Cosson, | Julian N. Phelps, |
| A. C. Armstrong, | Joseph M. Davidson, | Lewis Potter, |
| A. S. Arnold, | John W. Dyer, | John Rowan, |
| W. W. Ayers, | James B. Fitzpatrick, | John P. Rowlett, |
| G. W. Bailey, | C. D. Foote, | J. P. Sacksteder, |
| Alpheus W. Bascom, | Joseph P. Foree, | J. R. Sanders, |
| W. R. Bates, | James Garnett, | Samuel M. Sanders |
| W. N. Beckham, | Wm. Cassius Goodloe, | C. C. Scales, |
| J. A. Bell, | E. A. Graves, | James W. Snyder, |
| S. C. Bell, | C. P. Gray, | William Tarlton, |
| J. C. S. Blackburn, | Clinton Griffith, | J. S. Taylor, |
| Church H. Blakey, | J. P. Hampton, | C. W. Threlkeld, |
| Wm. F. Bond, | E. Polk Johnson, | Harry I. Todd, |
| Robert M. Carlisle, | T. J. Jones, | L. W. Trafton, |
| John S. Carpenter, | J. S. Lawson, | T. W. Varnon, |
| George Carter, | Bryan S. McClure, | E. F. Waide, |
| B. E. Cassilly, | W. J. McElroy, | J. L. Waring, |
| James S. Chrisman, | M. E. McKenzie, | J. M. White, |
| C. M. Clay, jr., | J. C. Moorman, | Mordecai Williams, |
| J. Guthrie Coke, | W. A. Morin, | S. H. Woolfolk—68. |
| Wm. G. Conrad, | Wm. Mynhier, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | Mat. Nunan, | Joseph T. Tucker, |
| Josiah H. Combs, | Hiram S. Powell, | Jonas D. Wilson, |
| Manlius T Flippin, | Wm. Sellers, | J. N. Woods—9. |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Waide then moved to reconsider the vote by which said bill was passed.

Mr. Clay moved to lay the motion of Mr. Waide on the table.

And the question being taken thereon, it was decided in the affirmative.

And so the House refused to reconsider said vote.

On the call of the name of Mr. Walter Evans, he rose and remarked, that whilst he was opposed to the bill, yet he was attorney for that corporation against which the bill was more especially aimed, and for that reason asked to be, and was, excused from voting thereon.

And then the House adjourned.

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## WEDNESDAY, FEBRUARY 14, 1872.

A message was received from the Senate, announcing that they adhered to their proposed amendment to a bill, which originated in the House of Representatives, of the following title, viz :

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz :

An act to increase the jurisdiction of the police court of Lebanon.

An act to regulate proceedings in the courts of justices of the peace in Jefferson county and the city of Louisville.

That they had concurred in the adoption of a resolution, which originated in the House of Representatives, of the following title, viz :

Resolution directing distribution of Owen's Geological Survey.

With an amendment thereto.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Lexington City Passenger and Freight Railroad Company," approved February 24, 1870.

An act to amend the charter of the Campbell Turnpike Road Company.

An act to amend the road law of Union county.

An act to incorporate the Cabin Creek Turnpike Road Company.

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Road Company.

An act to amend the charter of the Elizabethtown and Paducah Railroad Company,

An act to repeal an act, entitled "An act to amend an act to establish the town of Frederick, in Barren county."

An act to amend the charter of the Macpelah Cemetery Company, in Montgomery county.

An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds.

An act for the benefit of Martin county.

An act to amend the charter of the Cornwall Candle Factory, of Louisville.

An act for the benefit of Benj. Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county.

An act to authorize receivers to release liens retained by deed of mortgage in certain cases.

An act to incorporate the Paducah and North Ballard Turnpike Road Company.

And that they had passed bills of the following titles, viz:

With amendments to the last named bills.

1. An act to amend the charter of the Paducah and Illinois Bridge Company.

2. An act to amend the charter of the New Castle and Eminence Turnpike Road.

3. An act for the benefit of the Murphysville Turnpike Road Company, in Mason county.

4. An act to release persons heretofore required to work out their road tax on the Murphysville Road, in Mason county, therefrom.

5. An act for the benefit of the Tuckyhoe Ridge Turnpike Road Company, in Mason county.

6. An act to change the time for the election of president and directors of the Christian County Agricultural and Mechanical Association.

7. An act to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association, in Boyle county.

8. An act to incorporate the Hopkinsville Gas and Mining Company.

9. An act providing for the election of judges *pro tempore* of the county and quarterly courts of this Commonwealth.

10. An act authorizing the trustees of the Baptist Church of East Fork, in Henry county, to sell the church property and reinvest the proceeds.

11. An act to amend section 82 of the Civil Code of Practice.

12. An act to amend the charter of the city of Henderson.

13. An act, entitled "An act to amend an act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved 11th March, 1867.

14. An act to amend an act to incorporate the Louisville Insurance and Banking Company.

15. An act to repeal the charter of the town of Walton, Boone county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st, 2d, 3d, 4th, and 5th to the Committee on Internal Improvement; the 6th and 7th to the Committee on Agriculture and Manufactures; the 8th, 12th, and 15th to the Committee on Corporate Institutions; the 9th to the Committee on County Courts; the 10th to the Committee on Religion; the 11th to the Committee on Codes of Practice; the 13th to the Committee on Railroads; and the 14th to the Committee on Insurance.

That they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4, 1865.

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4, 1865.

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

An act to amend an act, entitled "An act for the benefit of the Eastern and Western Lunatic Asylums," approved February 18, 1864.

An act repealing an act approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies."

An act to amend the charter of the Shelby Railroad Company.

An act to amend section 112, chapter 1, title 6, of the Criminal Code of Practice.

An act amending article 5, chapter 2, title 9, of the Civil Code of Practice.

Resolution calling on the Auditor for information relative to receipts and disbursements within a given period.

The rules being suspended requiring its reference to a committee, the House took up a bill from the Senate, entitled

An act to legalize the acts of O. G. Moore, sheriff of Edmonson county, and authorize him to give bond.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Clay, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to incorporate the Constructing and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Bascom,

*Ordered*, That said bill be printed, and that the consideration of the same be postponed to, and made the special order of the day for, Tuesday, the 20th instant, at 11 o'clock, A. M.

On motion of Mr. Goodloe, a message was sent to the Senate, asking to withdraw therefrom the announcement of the concurrence of this House in an amendment proposed by the Senate, to a bill which originated in this House, entitled

An act to amend the charter of the Lexington Library.

The message being delivered to the Senate, said announcement was withdrawn.

Thereupon Mr. Goodloe moved to reconsider the vote by which the amendment proposed by the Senate to said bill was concurred in.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

The question was then again taken on concurring in said amendment, and it was decided in the negative.

And so said amendment was not agreed to.

The following petitions and remonstrance were presented, viz:

By Mr. Foree—

1. The petition of certain citizens of Shelby county, praying the passage of an act levying a certain tax on all dogs in said county.

By Mr. Morin—

2. The petition of citizens of Campbell county, praying the passage of a certain act for the benefit of the common school districts of said county.

By Mr. Williams—

3. The petition of J. M. Summers and others, praying the passage of an act submitting the question to the people whether the county court or corporate towns shall grant license to sell spirituous liquors within the limits of Carter county.

By Mr. Powell—

4. The remonstrance and proof of certain citizens of Lee county, against the repeal of the act authorizing the voters of said county to locate the county seat of said county by vote, and by which said county seat was located at Beattyville.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures; the 2d to the Committee on Education; the 3d to the Committee on Religion; and the 4th to the Committee on Propositions and Grievances.

Mr. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the city of Louisville,

Reported the same without amendment.

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, Friday, 16th inst., at 11 o'clock, A. M.

At 15 minutes after 11 o'clock, A. M., Mr. Blackburn moved that the House do take a recess until 3 o'clock, P. M., to give the officers

and members thereof an opportunity to attend the funeral of the late Dr. Hugh Rodman.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | Wm. Mynhier, |
| Wm. A. Allen, | J. E. Cosson, | J. L. Nall, |
| George W. Anderson, | Joseph M. Davidson, | Mat. Nunan, |
| A. C. Armstrong, | W. W. Deaderick, | Julian N. Phelps, |
| A. S. Arnold, | John W. Dyer, | Lewis Potter, |
| W. W. Ayers, | Walter Evans, | Hiram S. Powell, |
| G. W. Bailey, | W. H. Evans, | W. L. Reeves, |
| R. Tarv. Baker, | James B. Fitzpatrick, | E. A. Robertson, |
| Alpheus W. Bascom, | Manlius T. Flippin, | John Rowan, |
| W. R. Bates, | C. D. Foote, | John P. Rowlett, |
| W. N. Beckham, | Joseph P. Foree, | J. P. Sacksteder, |
| John A. Bell, | James Garnett, | J. R. Sanders, |
| S. C. Bell, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| J. C. S. Blackburn, | E. A. Graves, | C. C. Scales, |
| Church H. Blakey, | C. P. Gray, | James W. Snyder, |
| Wm. F. Bond, | Clinton Griffith, | Wm. Tarlton, |
| W. B. M. Brooks, | J. P. Hampton, | J. S. Taylor, |
| W. W. Bush, | Wm. A. Hoskins, | C. W. Threlkeld, |
| Thomas P. Cardwell, | George M. Jessee, | Harry I. Todd, |
| Robert M. Carlisle, | E. Polk Johnson, | L. W. Trafton, |
| John S. Carpenter, | T. J. Jones, | Joseph T. Tucker, |
| George Carter, | J. S. Lawson, | T. W. Varnon, |
| B. E. Cassilly, | J. J. McAfee, | E. F. Waide, |
| James S. Chrisman, | J. A. McCampbell, | J. L. Waring, |
| C. M. Clay, jr., | Bryan S. McClure, | J. M. White, |
| J. Guthrie Coke, | M. E. McKenzie, | Mordecai Williams, |
| Josiah H. Combs, | T. J. Megibben, | Jonas D. Wilson, |
| R. D. Cook, | J. C. Moorman, | J. N. Woods—86. |
| R. L. Cooper, | W. A. Morin, | |

In the negative—none.

And so the House took the recess proposed.

At 3 o'clock, P. M., the House again assembled.

The following petitions and remonstrances were presented, viz:

By Mr. Todd—

1. The petition of citizens of Peak's Mill precinct, Franklin county, praying the passage of a law to prohibit the sale of spirituous liquors in that precinct.

By Mr. Brooks—

2. The petition of certain citizens of Bullitt county, praying the

passage of an act that a prohibitory liquor law may be submitted to the voters of that county; and the remonstrance of certain other citizens of that county, against the passage of such an act.

By Mr. Blakey—

3. The remonstrance of certain citizens of Butler county, against the deer-hunting law.

By Mr. Gray—

4. The petition of certain citizens of Albany, Clinton county, praying the passage of an act to prohibit the sale of ardent spirits, wine, or beer within said town, or within one mile of the corporate limits thereof; and also the remonstrance of other citizens of said town, against the passage thereof.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the Committee on Religion, and the 2d and 3d to the Committee on Propositions and Grievances.

Mr. Foote moved to reconsider the vote by which this House, on yesterday, discharged the Committee on Propositions and Grievances from the further consideration of a petition of certain citizens of Ballard county, praying to be attached to the county of Hickman, and referring the same to the Committee on the Judiciary.

Mr. Garnett offered a resolution, which, on motion of Mr. Scales, was amended, and which, as amended, reads as follows, viz:

Whereas, It appears from the message of His Excellency, P. H. Leslie, Governor of this Commonwealth, that the expenses of the Insurance Bureau for the year ending 10th October, 1871, is $25,709 49; and whereas, it appears from the resolutions adopted by this House that the salary of the Commissioner and clerks of said Bureau amount to the sum of $18,600, which leaves the sum of $7,009; therefore, be it

1. *Resolved*, That the Committee on Retrenchment and Reform be instructed to report to this House for what said excess of $7,009 is expended by said Bureau.

2. That the Auditor be instructed to furnish said committee a statement as to how much is expended by said Bureau for printing, and whether or not the printing done for said Bureau is done by the Public Printer and paid for out of the State Treasury.

Said resolution, as amended, was then adopted.

Mr. Chrisman offered the following resolution, viz:

*Resolved*, That the Auditor of Public Accounts report to this House whether or not any foreign insurance companies (fire, marine, or life), doing business in this State, have deposited in his office any bonds, stocks, choses in action, or any other thing of value, which could be rendered liable to the payment of any debt or judgment rendered in the courts of this Commonwealth. If so, give the name

of any such company or companies, and the character, kind, and value of such stocks, bonds, or other assets.

Which was adopted.

Mr. Blakey offered the following resolution, viz:

*Resolved*, That the Judiciary Committee be instructed to inquire into the propriety of abolishing all the common pleas courts in this Commonwealth, except the Jefferson court of common pleas, and to establish chancery courts in certain districts of this Commonwealth, and that they report by bill.

Which was adopted.

Mr. Threlkeld offered the following joint resolution, which lies one day on the table, viz:

WHEREAS, We have continued reports from Persia of a fearful famine scourging that land; therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators be instructed, and members in Congress requested, to use all honorable means to induce the proper authorities to set apart a sufficient amount of shipping to transport the free will offerings of the people of this country to that starving people; and that railroads, steamboats, and lake steamers be requested to carry the same, free of charge, to the seaboard, to be shipped.

2. That the President be requested, through our Senators and members in Congress, to issue a proclamation asking the people of the United States to contribute of their means to supply the urgent need of that distressed people.

Mr. Graves offered the following resolution, viz:

*Resolved*, That on and after the 19th instant, this House shall hold evening sessions, and that the Speaker will announce a recess at 1 o'clock of each day (except Saturdays), to meet again at 3 o'clock.

Mr. Tucker offered the following as a substitute therefor, viz:

*Resolved*, That on and after the 19th inst., this House will meet at 9½ o'clock, A. M., and adjourn at 2 o'clock, P. M.

And the question being taken on the amendment (substitute) proposed by Mr. Tucker, it was decided in the affirmative.

The resolution, as amended, was then adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Davidson—

1. A bill to establisn an additional justices' and constable's district in Johnson county.

On motion of Mr. Garnett—

2. A bill to amend the general insurance law of this State, so as to require foreign insurance companies doing business in this State to

deposit with the Auditor of State bonds and stocks to the amount of $150,000.

On motion of Mr. Bond—

3. A bill to incorporate the Anderson and Salvisa Agricultural and Mechanical Association.

On motion of Mr. Corbett—

4. A bill to permit E. W. Gerrill, of Ballard county, to dispose of his farm by lottery.

On motion of Mr. Bates—

5. A bill to incorporate the Glasgow Church Aid Society.

On motion of Mr. Clay—

6. A bill to charter the Bourbon Female College.

On motion of same—

7. A bill to incorporate the Building and Savings Association of Paris.

On motion of Mr. Williams—

8. A bill authorizing the Carter county court to appoint a commissioner and receiver of funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company.

On motion of same—

9. A bill relating to the sale of ardent spirits in Carter county.

On motion of same—

10. A bill to give the trustees of the common school district in Catlettsburg the right to levy a tax to build a school-house in Boyd county.

On motion of Mr. Phelps—

11. A bill to regulate the seminary fund in Butler county.

On motion of same—

12. A bill to reindex and bind the records of Butler county.

On motion of same—

13. A bill for the benefit of J. B. Helm and J. M. Phelps, justices of the peace in Woodbury district, in Butler county.

On motion of Mr. Morin—

14. A bill to amend, revise, and render into one the laws pertaining to Highland district, in Campbell county.

On motion of Mr. J. R. Sanders—

15. A bill for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton.

On motion of Mr. Sellers—

16. A bill to incorporate the Lancaster Benevolent Society.

On motion of Mr. Waring—

17. A bill to amend the charter of the Eastern Kentucky Railway Company.

On motion of Mr. Nall—

18. A bill to regulate the fees of the county surveyor of Hardin county.

On motion of Mr. E. Polk Johnson—

19. A bill to amend the charter of the Valley Turnpike Company.

On motion of same—

20. A bill to amend section 474, Civil Code of Practice.

On motion of Mr. McCampbell—

21. A bill for the benefit of A. McCampbell, late sheriff of Jessamine county.

On motion of same—

22. A bill for the benefit of justices of the peace in district No. 2, Jessamine county.

On motion of Mr. Scales—

23. A bill to incorporate the First Presbyterian Church of Ludlow, Kentucky.

On motion of Mr. W. H. Evans—

24. A bill to submit to the legal voters of Josh Bell county the question of prohibiting the sale of spirituous liquors in said county.

On motion of Mr. Cook—

25. A bill to exempt certain widow women in this Commonwealth from the payment of State revenue and county levies.

On motion of Mr. Wright—

26. A bill concerning the militia of Kentucky.

On motion of same—

27. A bill in relation to the office of Quarter-Master General of this State.

On motion of same—

28. A bill to amend an act approved February 16, 1866, relating to certain military offices of this State.

On motion of Mr. Arnold—

29. A bill allowing the voters of Ballard county to vote at next August election for and against a curtail of said county.

On motion of Mr. Allen—

30. A bill to create an additional magistrates' district in Meade county.

On motion of Mr. McAfee—

31. A bill to prohibit the vending of ardent spirits within a certain boundary in the 3d magisterial district in Mercer county.

On motion of same—

32. A bill to regulate the places of holding courts by justices of the peace in this Commonwealth.

On motion of same—

33. A bill to continue the office of Quarter-Master General in this Commonwealth.

On motion of same—

34. A bill to amend the militia laws in this Commonwealth.

On motion of Mr. Moorman—

35. A bill to incorporate Mt. Carmel Baptist Church, of Muhlenburg county.

On motion of Mr. Cosson—

36. A bill to legalize an act of the county court of Pulaski, made at its January term, 1872, levying an additional poll-tax of seventy-five cents for the purpose of rebuilding her court-house.

On motion of same—

37. A bill to amend an act amending chapter 84 of the Revised Statutes, entitled "Roads and Passways," approved February 20th, 1869.

On motion of Mr. McKenzie—

38. A bill to authorize the county court of Trigg county to sell the poor-house property.

On motion of Mr. Blackburn—

39. A bill for the benefit of Samuel Sublett, of Woodford county.

On motion of Mr. J. R. Sanders—

40. A bill to reimburse Trimble county for moneys expended in taking care of Thomas Jenkins, a lunatic pauper.

On motion of Mr. Taylor—

41. A bill for the benefit of John P. Barrett, sheriff of Ohio county.

*Ordered*, That the Committee on Propositions and Grievances prepare and bring in the 1st and 30th; the Committee on Insurance the 2d; the Committee on Agriculture and Manufactures the 3d; the Committee on the Judiciary the 4th and 29th; the Committee on Corporate Institutions the 5th, 7th, 14th, 19th, 23d, and 35th; the

Committee on Education the 6th, 10th, 11th, and 15th; the Committee on County Courts the 8th, 13th, 16th, 21st, 22d, 36th, 38th, and 39th; the Committee on Religion the 9th, 24th, and 31st; the Committee on Circuit Courts the 12th; the Committee on Railroads the 17th; the Committee on the Revised Statutes the 18th, 32d, and 37th; the Committee on Codes of Practice the 20th; the Committee on Ways and Means the 25th and 41st; the Committee on Military Affairs the 26th, 27th, 28th, 33d, and 34th; the Committee on Privileges and Elections the 40th.

Mr. Graves read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this General Assembly adjourns on Thursday, the 29th day of February, 1872, it adjourn *sine die*.

Mr. Graves moved to suspend the rule requiring joint resolutions to lie one day on the table, and take up the same.

Pending the consideration of said motion—at half-past four o'clock, P. M.—Mr. Chrisman moved that the House do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | J. S. Lawson, |
| A. C. Armstrong, | R. L. Cooper, | J. J. McAfee, |
| A. S. Arnold, | Thomas H. Corbett, | J. A. McCampbell, |
| G. W. Bailey, | J. E. Cosson, | J. L. Nall, |
| Alpheus W. Bascom, | W. W. Deaderick, | Mat. Nunan, |
| W. R. Bates, | John W. Dyer, | Julian N. Phelps, |
| J. A. Bell, | Walter Evans, | Hiram S. Powell, |
| S. C. Bell, | W. H. Evans, | E. A. Robertson, |
| W. B. M. Brooks, | Wm. Cassius Goodloe, | J. R. Sanders, |
| John S. Carpenter, | J. P. Hampton, | Wm. Sellers, |
| George Carter, | Wm. A. Hoskins, | James W. Snyder, |
| James S. Chrisman, | George M. Jessee, | J. M. White, |
| C. M. Clay, jr., | T. J. Jones, | S. H. Woolfolk—40. |
| Josiah H. Combs, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | C. P. Gray, | C. C. Scales, |
| W. W. Ayers, | E. Polk Johnson, | J. S. Taylor, |
| Church H. Blakey, | Bryan S. McClure, | C. W. Threlkeld, |
| Wm. F. Bond, | M. E. McKenzie, | Harry I. Todd, |
| W. W. Bush, | J. C. Moorman, | Joseph T. Tucker, |
| Thomas P. Cardwell, | W. A. Morin, | T. W. Varnon, |

| | | |
|---|---|---|
| Robert M. Carlisle, | Wm. Mynhier, | E. F. Waide, |
| B. E. Cassilly, | Lewis Potter, | J. L. Waring, |
| Joseph M. Davidson, | W. L. Reeves, | Mordecai Williams, |
| Manlius T Flippin, | John Rowan, | Jonas D. Wilson, |
| C. D. Foote, | John P. Rowlett, | J. N. Woods, |
| James Garnett, | Samuel M. Sanders | J. M. Wright—37. |
| E. A. Graves, | | |

And then the House adjourned.

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## THURSDAY, FEBRUARY 15, 1872.

The following petitions were presented, viz:

By Mr. Sellers—

1. The petition of sundry citizens of Garrard county, praying the passage of an act to prevent the sale of spirituous liquors in Bryantsville district, No. 4.

By Mr. Bascom—

2. The petition of certain citizens of Polksville, praying an act of incorporation.

By Mr. Nunan—

3. The petition of citizens of Pottsville district, Washington county, praying the passage of an act to prevent the sale of ardent spirits in said district.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Religion, and the 2d to the Committee on Corporate Institutions.

On motion, leave of absence, indefinitely, was granted to Messrs. Arnold, McCampbell, Little, Snyder, Ogilvie, and Tarlton.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Winchester and Red River Iron Works Turnpike Road Company, and the Schollsville branch of said road.

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

An act to empower the circuit judge of the Thirteenth Judicial District to fill by appointment the vacancy caused by the death of the late master commissioner in chancery for the Bath circuit court.

An act requiring the circuit and county court clerks of Montgomery to index and cross-index certain records, and prescribing the manner of payment for performing such work.

An act to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the 8th judicial district.

An act to amend the charter of the Kentucky River Turnpike Road Company.

An act to repeal in part an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7th, 1871.

An act to amend section 17, chapter 24, Revised Statutes.

An act to amend an act, entitled "An act to amend the road law in Bracken county."

An act authorizing the clerk of the Harrison circuit court to complete and continue a cross-index to judgments.

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869.

Resolution directing appointment of a committee to visit Kentucky Agricultural College at Lexington;

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate the sale of spirituous liquors in Boyd county;

An act to amend the charter of the town of Harrodsburg;

An act to amend section 37, chapter 1, title 3, Civil Code of Practice;

An act to incorporate the town of Kingston, in Madison county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

On motion of Mr. Trafton, leave was given to bring in a bill to incorporate the town of Cairo, in Henderson county.

*Ordered*, That the Committee on Corporate Institutions prepare and bring in the same.

Mr. Morin, from the Committee on Privileges and Elections, who were directed to prepare and bring in the same, reported

A bill to prevent the destruction of fish in Little Kentucky river, in Carroll and Trimble counties.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cassilly, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of C. G. Beard, of Clinton county.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

Whereas, It appears that Maranda Evans, a citizen of Clinton county, was declared to be a person of unsound mind, and a pauper lunatic, on the first day of February, 1871, by the Clinton county court, and ordered to be carried to the Eastern Lunatic Asylum at Lexington, and S. W. Beard was appointed by said court a committee to said pauper lunatic; and said Asylum having more than its complement of patients at that time and ever since, and the Superintendent, in consequence, refusing to receive said pauper lunatic; and it further appearing that C. G. Beard has, since the judgment of said court, taken care of the said pauper lunatic, and that he has faithfully performed the duty as committee to said pauper lunatic from the said 1st day of February, 1871, until the 1st day of January, 1872, inclusive; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and he is hereby, directed to draw his warrant upon the Treasury for the sum of one hundred and eighty-three dollars ($183), in favor of the said C. G. Beard, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | J. L. Nall, |
| Wm. A. Allen, | John W. Dyer, | Mat. Nunan, |
| George W. Anderson, | Walter Evans, | Julian N. Phelps, |
| A. C. Armstrong, | James B. Fitzpatrick, | Lewis Potter, |
| W. W. Ayers, | C. D. Foote, | Hiram S. Powell, |
| G. W. Bailey, | Joseph P. Foree, | E. A. Robertson, |
| Alpheus W. Bascom, | James Garnett, | John Rowan, |
| W. N. Beckham, | Wm. Cassius Goodloe, | John P. Rowlett, |
| John A. Bell, | E. A. Graves, | J. R. Sanders, |
| S. C. Bell, | C. P. Gray, | William Sellers, |
| J. C. S. Blackburn, | J. P. Hampton, | J. S. Taylor, |
| Church H. Blakey, | Wm. A Hoskins, | C. W. Threlkeld, |
| Wm. F. Bond, | George M. Jessee, | Harry I. Todd, |
| W. B. M. Brooks, | E. Polk Johnson, | Joseph T. Tucker, |
| Thomas P. Cardwell, | Thos. M. Johnson, | T. W. Varnon, |
| Robert M. Carlisle, | T. J. Jones, | E. F. Waide, |
| John S. Carpenter, | J. S. Lawson, | J. L. Waring, |
| George Carter, | Bryan S. McClure, | J. M. White, |
| B. E. Cassilly, | M. E. McKenzie, | Mordecai Williams, |
| James S. Chrisman, | T. J. Megibben, | Jonas D. Wilson, |
| R. D. Cook, | J. C. Moorman, | J. N. Woods, |
| R. L. Cooper, | W. A. Morin, | S. H. Woolfolk, |
| Thomas H. Corbett, | Wm. Mynhier, | J. M. Wright—69. |

In the negative, J. J. McAfee—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Cassilly, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of E. G. Davidson.

Which was read the first time as follows, viz:

WHEREAS, It appears that Louiza Eldridge, a citizen of Clinton county, was declared to be a person of unsound mind, and a pauper lunatic, on the 1st day of March, 1871, by the Clinton circuit court, and ordered to be confined in the Eastern Lunatic Asylum at Lexington, and E. G. Davidson, of Clinton county, was appointed by said court a committee to said pauper lunatic; and said Asylum having already more than its complement of patients at that time and ever since, and the Superintendent, in consequence, refusing to receive said pauper lunatic; and it further appearing that the judge of said court did direct said E. G. Davidson, of Clinton county, to take, confine, and properly treat said Louiza Eldridge, and he did faithfully perform said duty from the 1st day of March, 1871, until the 12th day of December, 1871, inclusive; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasury for the sum of one hundred and fifty-five dollars and fifty cents, in favor of the said E. G. Davidson, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | Julian N. Phelps, |
| Wm. A. Allen, | James B. Fitzpatrick, | Lewis Potter, |
| George W. Anderson, | Manlius T. Flippin, | Hiram S. Powell, |
| A. C. Armstrong, | C. D. Foote, | W. L. Reeves, |
| G. W. Bailey, | Joseph P. Foree, | E. A. Robertson, |
| Alpheus W. Bascom, | James Garnett, | John Rowan, |
| W. R. Bates, | Wm. Cassius Goodloe, | J. R. Sanders, |
| John A. Bell, | E. A. Graves, | Samuel M. Sanders, |
| S. C. Bell, | C. P. Gray, | C. C. Scales, |
| J. C. S. Blackburn, | Clinton Griffith, | William Sellers, |
| Wm. F. Bond, | J. P. Hampton, | J. S. Taylor, |
| W. B. M. Brooks, | Wm. A. Hoskins, | C. W. Threlkeld, |
| W. W. Bush, | E. Polk Johnson, | Harry I. Todd, |
| Robert M. Carlisle, | Thos. M. Johnson, | L. W. Trafton, |
| John S. Carpenter, | T. J. Jones, | Joseph T. Tucker, |
| George Carter, | J. S. Lawson, | T. W. Varnon, |
| B. E. Cassilly, | Bryan S. McClure, | E. F. Waile, |
| James S. Chrisman, | Wm. J. McElroy, | J. L. Waring, |
| C. M. Clay, jr., | M. E. McKenzie, | J. M. White, |
| R. L. Cooper, | T. J. Megibben, | Mordecai Williams, |
| Thomas H. Corbett, | J. C. Moorman, | Jonas D. Wilson, |
| Joseph M. Davidson, | W. A. Morin, | J. N. Woods, |
| W. W. Deaderick, | Wm. Mynhier, | S. H. Woolfolk, |
| Walter Evans, | J. L. Nall, | J. M. Wright—74. |
| W. H. Evans, | Mat. Nunan, | |

In the negative, J. J. McAfee—1.

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 15, 1872.

*Gentlemen of the House of Representatives:*

The bill which originated in your House, and passed the General Assembly, entitled "An act to incorporate the town of Smith's Grove, in Warren county," creates the office of police judge, and makes him elective by the qualified voters of said town. It confers upon that officer exclusive jurisdiction to try and render judgment in all cases of alleged violations of the by-laws and ordinances of said town; and provides that every person convicted of such charge, and fined, "shall, in default of payment of fine *and cost*, be confined in the jail of Warren county until the fine and cost of prosecution are paid off, at the rate of *fifty cents* per day." It confers upon that officer jurisdiction in all civil, penal, and criminal cases, equal with, and as the justices of the peace have for the entire county. It makes him an examiner to take depositions, to be read as evidence in any of the courts of this Commonwealth. It gives him jurisdiction (beyond a justice of the peace or county judge) equal with all the circuit courts in punishing any one for contempt in his court. It directs the taxation of a two-dollar jury fee against the accused, in every case tried in his court by a jury for a violation of the town laws, where there is a conviction; and a fee of two dollars and fifty cents, in every case of violation of town laws tried in his court, *where an attorney is employed to prosecute;* and there are other extraordinary provisions in the bill. I cannot approve the bill, believing, as I do, that it will operate harshly and unjustly upon the people of the county of Warren, and particularly all persons, from whatever county they may be, who happen to be within this town and violate its laws. I am unable to see why it is that a man or woman, convicted of violating a town law in Smith's Grove, who fails to pay the fine and cost, shall be required to lie in jail, at fifty cents per day, till all the fine *and cost* are paid; whereas, if it was a fine for violating the penal laws of the State (assessed by the same officer), the measure of confinement in jail would be estimated at *two dollars per day.*

We have a general law upon our statute books which undertakes to secure to the county an officer called an examiner, to take deposi-

tions. It is certainly bad policy to make innovations upon this general law by incorporating into local and private acts such power and authority, affecting so seriously the rights and interests of the entire country. The imposition of a two-dollar jury fee, and two dollars and fifty cents attorney's fee, in cases for alleged violations of the laws of said town, is extraordinary, to say the least of it, and especially when the accused has to lie in jail at fifty cents per day till it is paid.

Without suggesting other reasons, I herewith return the bill for your consideration.

Respectfully,

P. H. LESLIE.

Said bill so objected to by the Governor reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That that portion of Warren county, included in the following boundary: Beginning at first cattle-guard of the Louisville and Nashville Railroad, west of Uriah Rasdall's store; thence east to a point south of Nathan Allen's and Joel Morehead's corner, so as to include the property of the railroad company; thence with Allen's and Morehead's line north to the street between H. T. Arnold's and Sweeney's property; thence west with said street to the county line; thence with the county line south to a black jack at Uriah Rasdall's corner; thence with Claypool and Rasdall's line south to the beginning, shall be incorporated and known as the town of Smith's Grove; capable of being contracted with; of suing and being sued; and in that name may sue or be sued.

§ 2. That the fiscal, prudential, and municipal concerns of said town, with the government thereof, shall be vested in one principal officer, to be styled the Chairman of the Board of Trustees, and six trustees, who shall be elected on the first Saturday of April in each year, in the manner hereinafter prescribed; and shall hold their offices until their successors have been duly qualified; all of whom shall have resided in said town one year next preceding their election.

§ 3. That on the first Saturday in April in each year there shall be an election held by two judges, appointed by the Board of Trustees, and a clerk, for a chairman and six trustees. All male persons over twenty-one years of age, who shall have *bona fide* resided in said town for six months next preceding the time of the election, or shall at the time be owners of real estate therein, shall be entitled to vote, naming the persons for whom they vote as chairman and trustees.

§ 4. Notice shall be given in said town, at two or more public places therein, of the place at which the election is to be held. The judges and clerk of the election shall, on Monday following the election, meet and deposit the poll-book with the clerk of the board, who, in their presence, shall add up the polls, and give the persons receiving the highest number of votes for chairman and trustees certificates of their election.

§ 5. All officers of the town elected by the people or appointed by the board, before entering upon the duties of their office, shall take the oath now prescribed by the Constitution of the State, and to discharge the duties of their office to the best of their ability. The chairman, police judge, and marshal shall be sworn before a justice of the peace; the chairman may administer the oath to other officers of the town.

§ 6. All the officers of said town, whether elected by the people or appointed by the board, shall reside and keep their offices within the limits of said town during their continuance in office. Three months' absence from town by the chairman, or either of the trustees, or any officer in said town, shall vacate the office of such absentee by a resolution to that effect, adopted by the whole number of remaining trustees; and said board may fill all vacancies occurring by resignation or otherwise until the first regular election.

§ 7. The chairman, when present, shall preside at the meetings of the board, and give the casting vote where there shall be a tie. He shall call the board to order, and convene the same when he may think proper; he shall countersign all orders of the board, signed by the clerk; he shall report all improper conduct of the officers appointed by the board to the board in session, who shall have power to remove them by resolution entered upon their journal; he shall have the care and superintendence of the public property; and shall perform such other duties as the board may think proper to impose on him as the chief officer of the town; he shall be required to execute bond to said town in an adequate penalty, conditioned that he will faithfully pay over, and account for, all money that may come to his hands or be placed to his credit as chairman.

§ 8. The chairman may be compensated for his services out of the funds of the corporation, to be fixed by the Board of Trustees, exclusive of the chairman. The chairman, by the advice and consent of the majority of the board, may remit any fine imposed by law or ordinance; but such remission shall be upon payment of costs. The regular meetings of the board shall be held on the third Saturday in each month. Four trustees shall be capable of doing business when in session.

§ 9. The Board of Trustees shall appoint a clerk, whose duty it shall be to preserve the books, papers, and records, and every thing belonging to the office, and to deliver the same to his successor in office on application being made therefor; he shall keep a regular journal of the proceedings of the board, and a correct account of the fiscal concerns thereof; he shall record all the acts, resolutions, and orders of the board; he shall take all the bonds and agreements between the board and other persons; he shall furnish attested copies of all acts, resolutions, and orders passed by the board, when required by persons to do so who are entitled to the same; he shall draw his order on the Treasurer for all sums of money due to persons on claims allowed by the board, or on the bonds of said town, on the application of the holders, and on the return of the assessors' lists to the board, and the assessment of taxes thereon; he shall hand over one of said lists, together with the order fixing the rate of as-

sessment, to the collector, taking his receipt therefor; he shall be required to give bond in an adequate penalty, to be fixed by the board, conditioned for the faithful discharge of the duties of his office.

§ 10. The board may receive conveyances or consent, in writing, of the proprietors of lots or land within the town, for the purpose of locating, opening, or extending streets. Said town may petition the county court of Warren to open and condemn land for streets in the same manner as is now done for opening roads in the county.

§ 11. The Board of Trustees shall have full power and authority (two thirds of the whole number of the trustees concurring) to cause all the streets or alleys, or any of them, or any part or portion of them, in said town, now established, or hereafter to be established, to be graded, paved, turnpiked, graveled, or otherwise improved.

§ 12. The Board of Trustees shall have full power and authority to cause the sidewalks, or any part or portion of them, in said town, to be curbed, graded, or paved with stone or brick, and when so done to be kept in good repair, and to assess the costs and expenses of such curbing, grading, and paving or repairs adjacent to any lot, or part of lot, against the owner of the lot, or part of the lot, fronting thereon; and to secure the payment of said costs and expenses, a lien is hereby given on said lots or parts of lots. Said costs and expenses may be listed as taxes with the collector of said town, and by him collected as other taxes, who shall have power to sell and convey said lots and parts of lots, or so much thereof as may be necessary, in the same manner that real estate in said town may be sold for taxes: *Provided*, That infants, *femes covert*, and persons of unsound mind, shall have five years after their several disabilities are removed to redeem the same.

§ 13. The Board of Trustees shall have power and authority to cause said town to be supplied with water by sinking wells, constructing cisterns, placing pumps therein, and keeping the same in repair, at the expense of the town.

§ 14. The board shall have power to organize a fire department for the extinguishment of fires, that may happen within said town, to provide engines and other apparatus for that purpose, and to appoint a suitable number of able-bodied men, not exceeding forty, to each engine, who shall be exempted from paying poll tax, authorized to be levied by this act, during the time they are attached to said engines. Said firemen to be appointed for any term that the board shall ordain, and be discharged by them at pleasure; and the board shall have power to pass all necessary ordinances to punish any inhabitant of said town for non-attendance or disorderly conduct during the time of a fire.

§ 15. The board shall have power to pass ordinances regulating the introduction of gunpowder for sale into said town, and the storage of the same therein, and they may enforce compliance with such ordinances by suitable penalties, in addition to the forfeiture of the powder introduced or stored in violation thereof.

§ 16. The board shall have the exclusive right to regulate the sale of spirituous liquors within said town. They shall also have the

right to tax, and the exclusive right to license, all taverns, houses of private entertainment, grocers, victualers, confectioners, and houses of public resort, except gambling-houses and houses of ill-fame, in said town; but tavern-keepers and vendors of spirituous liquors shall still be liable to pay any revenue tax now required by the laws of the State to be paid, and no license shall be granted whereby spirituous liquors or wines may be retailed, except tavern-keepers, upon the payment of fifty dollars at least.

§ 17. They shall have power and authority, two thirds of the trustees concurring, to suspend, either indefinitely or for a limited period, any license which they may grant, or which may have been granted to a tavern-keeper, whenever they shall be satisfied that said tavern-keeper has permitted any unlawful gaming in his house, or has permitted any disorderly or indecent conduct to be practiced or committed in his house, or has permitted any person or persons to tipple or drink to intoxication therein: *Provided, however*, That no license shall be suspended until the said tavern-keeper shall have at least five days' previous notice, and has been permitted to show cause, if any he can, why his license should not be suspended. If any person, whose license shall have thus been suspended by said board, shall afterwards sell by retail any spirituous liquors or wines, he shall be deemed guilty of keeping a tippling-house.

§ 18. The board shall have power to suppress by ordinance, with suitable penalties, all tippling-houses, bawdy-houses, and houses of ill-fame, all retailing of spirituous liquors and wines, all riots, breaches of the peace, disorderly or indecent conduct, vagrancy, disturbance of religious worship, and disturbances of the peace and tranquilty of the town. They shall also have power, whenever the public convenience or safety, in their opinion, require it, to prohibit hogs, or other animals, from running at large in the streets, alleys, commons, and other public places in said town; and to require and compel the abatement and removal of all nuisances within the limits of said town, under such regulation as shall be prescribed by ordinance.

§ 19. The marshal may, with the consent of the board, appoint a deputy; he shall, by himself or deputy, attend all sessions of the chairman and trustees, and of the police court, and preserve order under his or their direction; he shall, by himself or deputy, execute all process emanating from the police court; he may be appointed town collector of taxes, and shall be entitled to receive the same fees and commissions that constables are allowed for similar services; he shall execute bond, with sufficient security, in an adequate penalty, before the chairman and trustees, to the Commonwealth of Kentucky, conditioned faithfully to discharge the duties of his office, and to pay over all sums of money that may come to his hands to the persons entitled; and a lien shall exist on the land of said marshal, and his securities, from the time of executing bond, for all sums of money that shall come into his hands; for other services than those provided for above, he shall be entitled to the same fees that are allowed to sheriffs for similar services, and shall have the same power and duty within the town; he and his

sureties shall be liable to judgment, by motion in the Warren circuit cou t, in favor of any person or corporation entitled to money, or his deputy, in like manner as sheriffs are liable; he shall collect the fees of the police judge, when fee bills therefor are placed in his hands for collection, in like manner as is prescribed by law in relation to fees of clerks of county and circuit courts; and shall receive the same commission for receiving, collecting, and paying over said fees that is allowed to sheriffs for like services; and shall be liable to motion in the police court in case of delinquency, or breach of official duty, in like manner as sheriffs are in the circuit courts.

§ 20. The board shall have the power and authority to assess, levy, and collect taxes on the value of all estate, real, personal, and mixed, and choses in action, held, owned, possessed, used, or employed in said town, or on such classes of the same as they may designate; but such valuation shall be uniform on each description of property assessed, and shall not exceed twenty-five cents on each one hundred dollars of such valuation in any one year; but no tax shall be levied or collected on the choses in action or money of any person, except upon the excess of the same over and above the just debts of such person, on the day of the annual assessment.

§ 21. The board shall annually appoint one town assessor, and on assistant, if necessary, who shall take in a list of all the taxable inhabitants and owners of property in said town separately, and affix against each the real estate in said town owned by him, or her, or them, with the value thereof, on the 10th day of January in that year in which the list is taken; and also the true and just value of such other estates of each of said inhabitants or owners, whether in goods, stocks, or other property, owned, held, possessed, used, or employed by him, her, or them in said town on said 10th of January, as may be designated for taxation by said board; which list shall be made on oath of the party; or if the party refuse to give in a list, and swear to the same, the list shall be made from the best information the assessor possesses; and said list shall be made to include all males over twenty-one years of age, all taverns, process, victualers, confectioners, and houses of public resort (except gambling-houses and houses of ill fame), hacks, drays, carts, wagons, and porters plying in said town for hire, if required by the board; of which list two fair copies, arranged in alphabetical order, shall be completed and returned to said board at the regular meeting in March, whereof notice shall be given, that any of said inhabitants or owners may examine the same; and if any one should feel aggrieved thereby in an excess of valuation or otherwise, application may be made to the board; and on proof being made to their satisfaction, the list may be corrected, provided the application is made within the time that may be prescribed by them; after which no abatement or change shall be made. The board shall proceed to levy and collect the taxes for the current year from estimates previously submitted to them by the chairman

§ 22. The board shall likewise have the power, by ordinance, to provide for the taxing of any store, grocery, &c., that may be opened

or commenced at any time subsequent to the day fixed upon for the annual assessment; and also for all itinerant merchants or vendors: *Provided*, That in no case shall the tax levied on such store, grocery, &c., be less than the ratable amount (as compared with the other assessments), in proportion to the time the same may be kept open or continued. They shall also have the right to tax auctioneers in said town, not exceeding three per cent. upon all public or private sales of goods, wares, or merchandise not the produce or manufacture of Kentucky; and to require them to take out license, with such restrictions and requisitions as may be necessary to enforce said tax; but no tax shall be levied upon sales of decedents' estates by executors, administrators, or curators, or by sheriffs, constables, marshals, coroners, or any other public officer as such, or by commissioners appointed or directed by authority of any court.

§ 23. The board shall have the right to tax, license, and regulate all carts, wagons, drays, hacks, and porters which may be plying in said town for hire; they shall also have the power, whenever, in their opinion, the interest of the said town may require it, to levy and collect taxes on dogs and other domestic animals, not exceeding five dollars on each dog or other animal; they shall also have the right to tax not exceeding one hundred dollars for each exhibition or performance, all shows, exhibitions, or performances, or concerts given, made, or exhibited for money or property within said town, or within one half mile of the limits thereof; and may prohibit them until a license be obtained. A poll-tax, not exceeding one dollar and fifty cents, shall be levied on each male inhabitant of said town over twenty-one years of age.

§ 24. When the said taxes are made out and fixed as herein provided, a list shall be placed in the hands of a collector, to be appointed by the board, with their warrant or authority to collect the same. The power of the collector of said town taxes shall be the same as to distraining, advertising, and selling property, as is now granted by law to the sheriffs in the collection of the State revenue and county levy; and for failing to pay taxes on real estate, the same remedies by damages and sale of the real estate shall exist, and the same lien exist on the property taxed, as in the collection of the State revenue. Bond, with good security, in an adequate penalty, shall be taken of said collector, payable to the town of Smith's Grove; and he shall be removable at the pleasure of the board. The collector and his sureties shall be liable to judgment by motion in the Warren circuit court for failing to collect and pay over any sums put into his hands for collection at the time stipulated, with ten per centum interest and costs; and five days' notice of such motion shall be sufficient; and there shall be no replevin or valuation of property on executions issuing on such judgments. A lien shall exist on the real estate of said collector and his sureties for the payment of all sums placed in his hands for collection. It shall be the duty of the said collector to continue the collection of taxes, and other town dues, until his successor shall be appointed and qualify; and he shall settle his accounts from time to time as the board may require.

§ 25. The board shall appoint a treasurer, to whom all moneys belonging to the town shall be paid. No claims against the town, except town bonds, or interest thereupon, shall be paid, until the same are audited and allowed by the board. In all cases the payment shall be upon an order drawn by the clerk upon the treasurer for the amount appearing to be due the claimant; for which order he shall execute a receipt to the clerk. When the treasurer has been appointed, and the funds paid over to him, the chairman shall indorse such order in his official capacity on the application of the holder, and the treasurer shall pay the same on presentation; such order in the hands of the treasurer, together with the receipt taken by the clerk, shall be evidence of its payment. Like bond shall be required from the treasurer; and like remedies are hereby given, as in the case of the collector of taxes.

§ 26. The board shall have power to borrow money on the credit of the corporation, and issue the bonds of the town therefor, bearing interest, payable annually, redeemable at periods not exceeding twenty years from their date: *Provided*, That the interest paid shall in no case exceed eight per centum per annum; and that the amount of said bonds outstanding at any time shall not exceed fifteen thousand dollars. Said bonds shall be signed by the chairman and countersigned by the clerk of the board, and shall be the bonds of the corporation.

§ 27. They shall annually publish an account of all the moneys received, and of all the payments made during the year they are in office, together with a statement of the town debt at the expiration of their term.

§ 28. The board shall have power to purchase, hold, and sell real estate, either within or without the limits of said town, for the purpose of a potter's field cemetery, and other purposes, not exceeding twenty acres; also to purchase, hold, and sell personal estate and stocks in incorporated companies.

§ 29. They shall have full power to pass all needful ordinances and by-laws for carrying into effect the powers herein granted, and executing all the provisions of the charter, with suitable penalties for the infraction of the same, not exceeding fifty dollars, except in case of disturbance of religious worship, riots, breaches of the peace, and tippling-houses, when the penalty may be one hundred dollars; they shall also have power to appoint all subordinate officers necessary to carry the provisions of this act into effect—such as police officers, overseers of the work-house, market-masters, weighers, and any other that may be required—and to require bond and security of them for the faithful discharge of their duties.

§ 30. The board shall cause all the by-laws and ordinances to be fairly recorded in the journals of their proceedings, and cause public advertisement of the same to be posted in two or more public places in said town.

§ 31. There shall be established in said town a court, to be styled the "Smith's Grove Police Court," which shall be held by one judge, elected as provided for in the thirty-ninth section of this act. Said court shall have exclusive original jurisdiction in all prosecutions

for violations of the ordinances of said town, and civil, penal, and criminal jurisdiction in all cases, whereby the laws of this State, justices of the peace within the county of Warren are, or shall be authorized to hear, determine, or in any manner to act, and the laws of this State, directing and regulating the dispositions of fines assessed in justices' courts, shall be applicable to this court; and as to committing criminal offenders, and sending them on for trial, and admitting them to bail, said court shall have the power of two justices of the peace; and for contempt to this court said judge shall have the same power and authority to punish by fine and imprisonment that the circuit courts have.

§ 32. Said police judge shall have the same power and authority to grant injunctions, restraining orders, writs of *habeas corpus*, that the laws of this State confer upon judges of the county court. He shall also have power and authority to take depositions in said town in all cases where examiners are now authorized by law to take the same.

§ 33. Said police judge shall be entitled to charge and receive the following fees, viz: For granting an injunction, restraining orders, writs of *habeas corpus*, one dollar, to be paid in advance, or collected as other fees, and in case of injunctions and restraining orders, to be taxed in the bill of costs against the defendant, unless the same be discharged; for swearing a jury and presiding in the trial of any case, except forcible entry and detainer, fifty cents; for taking a recognizance to keep the peace, to be paid by the applicant, fifty cents; for taking depositions, the same fees allowed by law to examiners for similar services; all other fees of said judge shall be the same as those allowed to justices of the peace for like services, to be collected the same way.

§ 34. The jurisdiction of the said police judge shall extend to all cases of riots, rout, or unlawful assemblies, within the county of Warren, as hereinafter provided. Whenever said judge shall be advised or receive information, on oath, of any riot, rout, or unlawful assemblage of persons, for the purpose of gaming, or any unlawful purpose whatever, it shall be lawful for him to issue his warrant to arrest all such offenders, directed to the sheriff, or any constable of said county, or to the marshal of said town; and if no officer shall be at hand to serve said warrant, then to such discreet person as said judge shall appoint, returnable before some justice of the peace of said county, on which warrant it shall be the duty of the officer, or the person, to arrest, and bring before said justice all the persons who shall be found so assembled, to be dealt with by him according to law; and it shall be the duty of the citizens of the town and county to attend the officer, or other person, if they shall be thereunto summoned, to aid and assist in arresting the persons so violating the law.

§ 35. The laws relating to the times of holding the courts of the justices of the peace shall be applicable to the Smith's Grove Police Court, when sitting for the trial of civil causes. Said court shall

be holden at such place as the Board of Trustees shall designate, or they failing to designate a place, at such place as the judge shall select; and the judge shall have power to fix such times for holding his court for the trial of penal causes as, in his discretion, the causes coming before him for trial may seem to require. He shall keep a record of his proceedings, an attested copy of which shall be evidence, and have the same effect as records of justices of the peace. Parties shall have the same right of appeal from the judgments of said court, and in the same manner, as from judgments of justices of the peace in similar cases. All penalties for breaches of the ordinances of the town shall be sued for by warrant in the name of the town, and be for its use.

§ 36. All persons convicted of violating the ordinances or by-laws of the town, and failing to pay the fines therefor assessed against them, and the costs, shall be confined in the jail of Warren county until the fines assessed against them, and the costs of prosecution, are discharged at the rate of fifty cents per day. Whenever the fees of the police judge and marshal are discharged by confinement in the jail, said fees shall be paid out of the town treasury.

§ 37. That the citizens of said town, and their hands, shall be bound, as heretofore, to work upon all roads and streets within the bounds of said corporation, and keep the same in good repair; but they shall be exempt from working on roads outside the limits of said town.

§ 38. The Board of Trustees shall have power, whenever they deem it necessary, to pass an ordinance providing for the compensation of jurors in the police court. They may, once in each year, levy and collect a tax to create a fund for that purpose, out of which each juror may be allowed and paid a sum not exceeding fifty cents for each day he may have served; and in cases tried by a jury in said court, if the defendant be found guilty, the sum of two dollars, in addition to the costs heretofore allowed, shall be taxed in the bill of costs; and in all cases, whether tried by a jury or not, where an attorney on the part of the town shall be employed, an additional sum of two dollars and a half shall be taxed in the bill of costs, if the defendant be found guilty, and collected by the marshal, to be paid into the town treasury.

§ 39. The police judge and marshal of said town shall have the same qualifications, and shall be elected by the qualified voters of said town at the same time, and in the same manner, and hold their office for the same time, as county judges and sheriffs, respectively; and shall be liable to removal in the same manner. An election for police judge and marshal of said town shall be held on the first Saturday in April, 1872, by the qualified voters of said town, to hold their offices, respectively, until the regular time now prescribed by law for the election of county judges and sheriffs, respectively.

§ 40. Said town shall have the right to assess, levy, and collect taxes for the year 1872. This act shall take effect from its passage.

The question was then put to the House, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

In the affirmative, T. J. Jones—1.

Those who voted in the negative were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | J. L. Nall, |
| Wm. A. Allen, | John W. Dyer, | Mat. Nunan, |
| A. C. Armstrong, | Walter Evans, | Julian N. Phelps, |
| W. W. Ayers, | W. H. Evans, | Hiram S. Powell, |
| G. W. Bailey, | M. Woods Ferguson, | W. L. Reeves, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | E. A. Robertson, |
| W. R. Bates, | Manlius T. Flippin, | John Rowan, |
| W. N. Beckham, | C. D. Foote, | John P. Rowlett, |
| John A. Bell, | Joseph P. Foree, | J. R. Sanders, |
| S. C. Bell, | James Garnett, | Samuel M. Sanders, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | C. C. Scales, |
| Church H. Blakey, | E. A. Graves, | William Sellers, |
| Wm. F. Bond, | C. P. Gray, | J. S. Taylor, |
| W. B. M. Brooks, | Clinton Griffith, | C. W. Threlkeld, |
| W. W. Bush, | J. P. Hampton, | Harry I. Todd, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | L. W. Tratton, |
| Robert M. Carlisle, | E. Polk Johnson, | Joseph T. Tucker, |
| John S. Carpenter, | Thos. M. Johnson, | T. W. Varnon, |
| George Carter, | J. S. Lawson, | E. F. Waide, |
| B. E. Cassilly, | Bryan S. McClure, | J. L. Waring, |
| James S. Chrisman, | Wm. J. McElroy, | J. M. White, |
| R. D. Cook, | M. E. McKenzie, | Mordecai Williams, |
| R. L. Cooper, | T. J. Megibben, | Jonas D. Wilson, |
| Thomas H. Corbett, | J. C. Moorman, | J. N. Woods, |
| J. E. Cosson, | W. A. Morin, | S. H. Woolfolk, |
| Joseph M. Davidson, | Wm. Mynhier, | J. M. Wright—78. |

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Ambrose Portwood, sheriff of Anderson county.

An act to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county.

An act for the benefit of the Henry, Oldham, and Jefferson Turnpike Road Company.

An act for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company.

An act for the benefit of the Beard's Station, Floydsburg, and Akin Turnpike Road Company.

And that they had passed bills of the following titles, viz:

1. An act authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts.

2. An act for the benefit of Samuel Ellis and others.

3. An act for the benefit of Wm. W. Burns, late sheriff of Robertson county, and his sureties

4. An act amending the charter of the Louisville and Shepherdsville Turnpike Road Company.

5. An act to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

6. An act to amend section 3 of an act, entitled "An act to amend section 3 of article 3, of chapter 58, of the Revised Statutes."

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Judiciary; the 2d and 3d to the Committee on Ways and Means; the 4th and 5th to the Committee on Corporate Institutions; and the 6th to the Committee on the Revised Statutes.

Mr. Cassilly, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of J. C. Elrod, of the city of Louisville.

Which was read the first time.

*Ordered*, That the further consideration of said bill be postponed till to-morrow at half-past ten o'clock, A. M.

The House then, according to order, took up for further consideration a bill from the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company,"

With the substitute (by way of amendment) offered thereto by Mr. Bascom.

The Senate bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever said Frankfort, Paris, and Big Sandy Railroad Company shall request the county judge of any county, through or adjacent to which it is proposed to construct said road, to subscribe, either absolutely or upon specified conditions, a specified amount to

the capital stock of said company, the county judge so requested shall forthwith order an election to be held at the several voting places in said county, on a day to be fixed by the judge, not later than thirty days nor earlier than twenty days after the making of said order, and shall appoint judges and other officers necessary to hold said election: *Provided*, That if a majority of the votes cast at said election shall be adverse to the proposed subscription, then the cost of said election shall be paid by said railroad company: *Provided further*, That not more than one election shall be held under this act, nor that to which it is amendatory, in any city, town, county, or precinct, without further legislation: *Provided further*, That no election shall be held in any county wherein said company have operatives engaged in the actual construction of their road, without the consent of the county court of such county.

§ 2. The appointment of officers to conduct said election, the holding thereof, and whatever pertains thereto, including the counting of the vote and making the subscription in accordance therewith, shall be made and done as provided in the act to which this is amendatory.

§ 3. Whenever the subscription of a city, town, county, or precinct, to the capital stock of said company, shall be payable in the bonds of said city, town, county, or precinct, it shall be the duty of the mayor of such city, the chairman of the board of trustees of such town, or the presiding judge of such county, as the case may be, to issue and deliver to said company the bonds of said city, town, county, or precinct, of the character and to the amount required by the terms of the subscription in payment of which they are issued. Said bonds shall be signed by said mayor, chairman of board of trustees, or presiding judge, and be countersigned by the clerk of the common council of the said city, board of trustees, or county court, as the case may be; and in case coupons are attached, the same shall be signed only by said clerk. The provisions of this section shall apply to the case of any city, town, or county which may have already voted a subscription to the capital stock of said company.

§ 4. This act shall take effect from its passage.

The substitute (by way of amendment thereto) offered by Mr. Bascom is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever the said Frankfort, Paris, and Big Sandy Railroad Company shall request the county judge of any county, through or adjacent to which it is proposed to construct said road, or the common council of any city, or the board of trustees of any town, authorized by the act to which this is amendatory to take stock in said company, to subscribe, either absolutely or on specified conditions, a specified amount to the capital stock of said company, the county judge, common council, or board of trustees so requested, shall forthwith order an election to be held at the several voting places in said county, city, or town, on a day to be fixed by the judge, mayor, or chairman of the board of trustees, not later than (30) thirty days, nor earlier than twenty days, after the making of said order, and shall appoint judges and other officers necessary to hold said election: *Provided*,

That if a majority of the votes cast at said election shall be adverse to the proposed subscription, then the cost of said election shall be paid by said railroad company: *Provided further*, That not more than one election shall be held under this act, nor that to which this is amendatory, in any city, town, county, or precinct, without further legislation: *Provided further*, That no election shall be held in any county, wherein said company have operatives engaged in the actual construction of their road, without the consent of the county court of said county: *Provided further*, That in any proposition submitted under this act the condition shall be inserted: That in lieu of certificates of stock to be issued to the county, city, or town, or the people thereof, as provided in the act to which this is amendatory, the company, upon the payment of the subscription made, shall file with the presiding judge of the county court, or the mayor of the city, or the chairman of the board of trustees, its obligation to accept at par, in payment of charges for all freight shipped from or received at the several depots or stations in said county, city, or town, the tax receipts issued to the citizens of said county, city, or town, for taxes levied and collected to pay said subscription. Said tax receipts, however, shall not be so receivable until five years shall have elapsed after the completion of said railroad; and no sale or lease of said road shall affect the obligations hereby imposed on said company; but any holder of tax receeipts may, at his option, upon presentation of said receipts, in any sum not less than fifty dollars, receive therefor a certificate of stock for the amount presented, as provided in the act to which this is amendatory: *Provided further*, That the subscription of the county of Bourbon shall not exceed ($400,000) four hundred thousand dollars, not more than five per cent. of which shall be made payable prior to the running of trains upon said road from the point of its junction with the Lexington and Louisville Railroad, at or near the city of Frankfort, to the eastern line of Bourbon county, and then not more than one half of said subscription shall be made payable, and the remainder shall not be payable until trains are running upon said road to the Big Sandy river, or to its point of junction with one that is in operation to that river.

§ 2. The appointment of officers to conduct said election, the holding thereof, and whatever pertains thereto, including the counting of the vote, shall be made and done as provided in the act to which this is amendatory; and if it appears that a majority of those voting, vote in favor of the subscription as proposed, the county judge, mayor, or chairman of the board of trustees, shall order the vote to be entered on their respective records, and shall execute and deliver to the company the obligation of the county, city, or town to pay to the company, on the terms specified in the order submitting the question to a vote, the amount subscribed. In the event the amount is payable in installments, there shall be a separate obligation for each installment. These obligations shall be signed by the county judge, mayor, or chairman of the board of trustees, attested by the clerk of the county court, common council, or board of trustees, but shall not bear interest before maturity, and shall not be delivered to the company until their obligations to accept tax receipts in payment

of freight, or in exchange for stock certificates, as hereinbefore provided, shall be executed and filed with the county judge, mayor, or chairman of the board of trustees.

§ 3. Whenever any county, city, or town shall vote a subscription to the Frankfort, Paris, and Big Sandy Railroad Company, and issue their obligations to said company, as provided in preceding section, the presiding judge of such county, the mayor of such city, or the chairman of the board of trustees of such town, shall pay such obligations upon presentation at their maturity, by the issue and delivery to said company of the bonds of such county, city, or town, of the denomination of not less than ($100) one hundred dollars, nor more than ($1,000) one thousand dollars, with coupons attached, under the seal of such county, city, or town, the bonds of the county to be signed by the presiding judge and countersigned by the county clerk, and the coupons to be signed by the clerk alone. The bonds of the city so subscribing shall be signed by the mayor and countersigned by the city clerk or auditor, and the coupons shall be signed by the clerk or auditor only. The bonds of towns subscribing shall be signed by the chairman of the board of trustees and countersigned by the town clerk, and the coupons shall be signed by the clerk only. Such bonds shall be negotiable and payable to bearer in the city of New York or in the city of Louisville, at not more than thirty (30) years from their date, and shall bear interest at a rate not greater than eight (8) per cent per annum, payable semi-annually in the city of New York or in the city of Louisville: *Provided, however*, That the character of the bonds issued, and the time of paying the same, shall be stated fully by said railroad company in the proposition which is submitted to the qualified voters of any county, city, or town.

§ 4. That in case any county, city, or town shall issue bonds as provided in the foregoing section, a tax sufficient to pay the principal and interest of the same shall be levied, collected, and used, as provided in sections fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-eight (28), and twenty-nine (29) of the act to which this is amendatory

§ 5. None of the provisions of this act shall affect the validity of the subscription heretofore voted to said company by the county of Scott. The company may, however, in their discretion, submit to the voters of that county a proposition in accordance with the provisions of this act, with a condition inserted, that the acceptance of the same by a majority of the qualified voters of said county, and the payment of the same, shall operate as a release to said county from the subscription heretofore voted to said company.

§ 6. This act shall take effect and be in force from its passage.

The question was then taken on the amendment (substitute) proposed by Mr. Bascom, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and J. A. Bell, were as follows, viz:

Those who voted in the affirmative, were—

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|---|---|---|
| George W. Anderson, | Walter Evans, | W. A. Morin, |
| A. C. Armstrong, | W. H. Evans, | Wm. Mynhier, |

| | | |
|---|---|---|
| W. W. Ayers, | M. Woods Ferguson, | Mat. Nunan, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | Julian N. Phelps, |
| John A. Bell, | Manlius T. Flippin, | Hiram S. Powell, |
| S. C. Bell, | C. D. Foote, | John P. Rowlett, |
| Thomas P. Cardwell, | Wm. Cassius Goodloe, | William Sellers, |
| John S. Carpenter, | C. P. Gray, | Harry I. Todd, |
| George Carter, | Clinton Griffith, | T. W. Varnon, |
| B. E. Cassilly, | J. P. Hampton, | J. M. White, |
| J. Guthrie Coke, | Wm. A. Hoskins, | Mordecai Williams, |
| R. D. Cook, | E. Polk Johnson, | Jonas D. Wilson, |
| Thomas H. Corbett, | T. J. Jones, | J. N. Woods, |
| J. E. Cosson, | J. J. McAfee, | S. H. Woolfolk, |
| W. W. Deaderick, | Bryan S. McClure, | J. M. Wright—47. |
| John W. Dyer, | M. E. McKenzie, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Josiah H. Combs, | Lewis Potter, |
| Wm. A. Allen, | R. L. Cooper, | W. L. Reeves, |
| W. R. Bates, | Joseph P. Foree, | E. A. Robertson, |
| W. N. Beckham, | James Garnett, | John Rowan, |
| J. C. S. Blackburn, | E. A. Graves, | Samuel M. Sanders, |
| Church H. Blakey, | T. M. Johnson, | C. C. Scales, |
| Wm. F. Bond, | J. S. Lawson, | J. S. Taylor, |
| W. B. M Brooks, | William J. McElroy, | C. W. Threlkeld, |
| W. W. Bush, | T. J. Megibben, | L. W. Trafton, |
| Robert M. Carlisle, | J. C. Moorman, | Joseph T. Tucker, |
| James S. Chrisman, | J. L. Nall, | J. L. Waring—34. |
| C. M. Clay, jr., | | |

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blackburn and Clay, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Walter Evans, | Wm. Mynhier, |
| A. C. Armstrong, | W. H. Evans, | Mat. Nunan, |
| W. W. Ayers, | M. Woods Ferguson, | Julian N. Phelps, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | Hiram S. Powell, |
| J. A. Bell, | Manlius T. Flippin, | John P. Rowlett, |
| S. C. Bell, | Wm. Cassius Goodloe, | C. C. Scales, |
| Thomas P. Cardwell, | C. P. Gray, | Wm. Sellers, |
| John S. Carpenter, | Clinton Griffith, | Harry I. Todd, |
| George Carter, | J. P. Hampton, | T. W. Varnon, |
| B. E. Cassilly, | Wm. A. Hoskins, | J. M. White, |
| R. D. Cook, | E. Polk Johnson, | Mordecai Williams, |
| Thomas H. Corbett, | T. J. Jones, | Jonas D. Wilson, |

| | | |
|---|---|---|
| J. E. Cosson, | J. J. McAfee, | J. N. Woods, |
| W. W. Deaderick, | Bryan S. McClure, | S. H. Woolfolk, |
| John W. Dyer, | M. E. McKenzie, | J. M. Wright—45. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. Guthrie Coke, | J. L. Nall, |
| Wm. A. Allen, | R. L. Cooper, | Lewis Potter, |
| W. N. Beckham, | C. D. Foote, | W. L. Reeves, |
| J. C. S. Blackburn, | Joseph P. Foree, | E. A. Robertson, |
| Church H. Blakey, | James Garnett, | John Rowan, |
| Wm. F. Bond, | E. A. Graves, | Samuel M. Sanders, |
| W. B. M. Brooks, | T. M. Johnson, | J. S. Taylor, |
| W. W. Bush, | J. S. Lawson, | C. W. Threlkeld, |
| Robert M. Carlisle, | W. J. McElroy, | L. W. Trafton, |
| James S. Chrisman, | T. J. Megibben, | Joseph T. Tucker, |
| C. M. Clay, jr., | J. C. Moorman, | J. L. Waring—33. |

Mr. W. Evans moved to reconsider the vote by which said bill was passed.

At this time—half-past three o'clock, P. M.—Mr. Bush moved that the House do now adjourn.

And the question being taken on the motion of Mr. Bush, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Clay, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. Guthrie Coke, | M. E. McKenzie, |
| G. W. Bailey, | R. L. Cooper, | J. C. Moorman, |
| W. N. Beckham, | C. D. Foote, | W. L. Reeves, |
| S. C. Bell, | James Garnett, | E. A. Robertson, |
| J. C. S. Blackburn, | E. A. Graves, | Samuel M. Sanders, |
| W. B. M. Brooks, | E. Polk Johnson, | C. C. Scales, |
| W. W. Bush, | T. M. Johnson, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. S. Lawson, | J. L. Waring, |
| James S. Chrisman, | Wm. J. McElroy, | J. M. White—28. |
| C. M. Clay, jr., | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Walter Evans, | Mat. Nunan, |
| George W. Anderson, | W. H. Evans, | Julian N. Phelps, |
| A. C. Armstrong, | M. Woods Ferguson, | Lewis Potter, |
| W. W. Ayers, | James B. Fitzpatrick, | Hiram S. Powell, |
| Alpheus W. Bascom, | Manlius T. Flippin, | John Rowan, |
| John A. Bell, | Wm. Cassius Goodloe, | Wm. Sellers, |
| Church H. Blakey, | C. P. Gray, | J. S. Taylor, |
| Wm. F. Bond, | Clinton Griffith, | C. W. Threlkeld, |
| Thomas P. Cardwell, | J. P. Hampton, | Harry I. Todd, |
| John S. Carpenter, | Wm. A. Hoskins, | T. W. Varnon, |
| George Carter, | T. J. Jones, | E. F. Waide, |

B. E. Cassilly, J. J. McAfee, Mordecai Williams,
R. D. Cook, Bryan S. McClure, Jonas D. Wilson,
Thomas H. Corbett, T. J. Megibben, J. N. Woods,
J. E. Cosson, Wm. Mynhier, S. H. Woolfolk,
W. W. Deaderick, J. L. Nall, J. M. Wright—49.
John W. Dyer,

Mr. Bush then moved to postpone the consideration of the motion to reconsider until to-morrow at half-past ten o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Bascom then moved to lay the motion of Mr. W. Evans to reconsider on the table.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

On motion of Mr. Tucker, the rule requiring the reference of said bill to a committee was suspended, the said bill taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

## FRIDAY, FEBRUARY 16, 1872.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

That they had adopted a joint resolution of the following title, viz:

Resolution in regard to navigation of the Ohio and other Western rivers.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Wolfe county.

2. An act for the benefit of William Day, of Breathitt county.

3. An act to change and regulate the time of holding the circuit courts in the first judicial district.

4. An act legalizing certain proceedings of the Boone county court.

5. An act regulating the terms of the McCracken circuit court, and transfer of cases therein to the McCracken court of common pleas.

6. An act to regulate the terms and business of the McCracken court of common pleas.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 4th to the Committee on County Courts; the 2d to the Committee on Internal Improvement; the 3d to the Committee on the Judiciary; and the 5th and 6th to the Committee on Circuit Courts.

Mr. Anderson presented the petition of sundry citizens of Louisville, praying the passage of certain amendments to their city charter.

Which was read.

Mr. Wright and Mr. Coke, each, presented remonstrances of certain citizens of the same city, against the passage of said amendments.

Which were read.

The following petitions were also presented, viz:

By Mr. Williams—

1. The petition of colored people of Catlettsburg and vicinity, praying the passage of an act for a public school for colored children in said town.

By same—

2. The petition of certain citizens of Carter county, praying the passage of an act to consolidate Boone and Buffalo districts of said county.

By Mr. Foree—

3. The petition of citizens of Shelby county, praying the passage of an act to protect farmers from the trespasses of stock.

By Mr. McClure—

4. The petition of citizens of Jamestown, Russell county, praying the passage of an act therein named in regard to streets and alleys in said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education; the 2d to the Committee on County Courts; the 3d to the Committee on Agriculture and Manufactures; and the 4th to the Committee on Propositions and Grievances.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate foreign corporations engaged in operating railroads in the State of Kentucky;

An act to incorporate the Grand Central Industrial Exposition;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Elizabethtown and Paducah Railroad Company;

An act to repeal an act, entitled "An act to amend an act to establish the town of Frederick, in Barren county;"

An act to amend the charter of the Macpelah Cemetery Company, in Montgomery county;

An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds;

An act for the benefit of Martin county;

An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Lexington City Passenger and Freight Railroad Company," approved February 24, 1870;

An act to amend the charter of the Campbell Turnpike Road Company;

An act to amend the road law of Union county;

An act to incorporate the Cabin Creek Turnpike Road Company;

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Road Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendments thereto."

A bill to change the county line between the counties of Owsley and Lee.

A bill creating an additional justices' and constable's district in Johnson county.

A bill for the benefit of the securities of Robert Hamilton, late sheriff of Perry county.

A bill to amend an act, entitled "An act for the benefit of the sureties of W. B. Simmons, late sheriff of Meade county."

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The hour of 10½ o'clock, A. M., having arrived, the House, according to order, took up and proceeded still further to consider a bill, entitled

A bill for the benefit of J. C. Elrod, of the city of Louisville.

*Ordered*, That said bill be read a second time.

Said bill was then read a second time.

Mr. Flippin then moved that said bill be laid on the table.

And the question being taken thereon, it was decided in the affirmative.

And so said bill was rejected.

The hour of 11 o'clock, A. M., having arrived, the House, according to order, took up and proceeded to consider a bill from the Senate, entitled

An act to amend the charter of the city of Louisville.

Mr. McAfee moved to recommit said bill to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

Mr. Wright then moved to amend said bill by striking out the following section, viz :

That the following provision in section 19 of the charter of the city of Louisville, approved 3d March, 1870, to-wit: "And he shall be ineligible to that office for the ensuing three years," be, and the same is hereby, repealed.

And the question being taken on the adoption of said proposed amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Carpenter and Wright, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| John S. Carpenter, | W. L. Reeves, | J. S. Taylor, |
| J. Guthrie Coke, | J. P. Sacksteder, | J. M. Wright—6. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Walter Evans, | Julian N. Phelps, |
| Wm. A. Allen, | W. H. Evans, | Lewis Potter, |
| George W. Anderson, | M. Woods Ferguson, | Hiram S. Powell, |
| G. W. Bailey, | James B. Fitzpatrick, | E. A. Robertson, |
| Alpheus W. Bascom, | Manlius T. Flippin, | John Rowan, |
| W. N. Beckham, | C. D. Foote, | John P. Rowlett, |
| John A. Bell, | Joseph P. Foree, | J. R. Sanders, |
| S. C. Bell, | C. P. Gray, | Samuel M. Sanders, |
| Church H. Blakey, | Clinton Griffith, | C. C. Scales, |
| Wm. F. Bond, | J. P. Hampton, | Wm. Sellers, |
| W. B. M. Brooks, | Wm. A. Hoskins, | C. W. Threlkeld, |
| W. W. Bush, | George M. Jessee, | Harry I. Todd, |
| Thomas P. Cardwell, | E. Polk Johnson, | Joseph T. Tucker, |
| Robert M. Carlisle, | T. M. Johnson, | T. W. Varnon, |
| George Carter, | T. J. Jones, | E. F. Waide, |
| B. E. Cassilly, | J. S. Lawson, | J. L. Waring, |
| Josiah H. Combs, | Bryan S. McClure, | C. H. Webb, |

| | | |
|---|---|---|
| R. D. Cook, | William J. McElroy, | J. M. White, |
| R. L. Cooper, | T. J. Megibben, | Mordecai Williams, |
| Thomas H. Corbett, | J. C. Moorman, | Jonas D. Wilson, |
| J. E. Cosson, | J. L. Nall, | J. N. Woods, |
| W. W. Deaderick, | Mat. Nunan, | S. H. Woolfolk—67. |
| John W. Dyer, | | |

And so said amendment was rejected.

Mr. Wright then offered the following (second) amendment, viz:

This act shall not take effect until the amendments herein made to the charter of the city of Louisville shall have been submitted to a vote of the people of said city, and accepted by a majority of the qualified voters of said city, in the manner provided by said charter for the adoption of proposed amendments.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Coke and Sacksteder, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| S. C. Bell, | Walter Evans, | E. A. Robertson, |
| Church H. Blakey, | Wm. Cassius Goodloe, | John P. Rowlett, |
| Thomas P. Cardwell, | E. A. Graves, | J. P. Sacksteder, |
| John S. Carpenter, | C. P. Gray, | J. S. Taylor, |
| James S. Chrisman, | Bryan S. McClure, | J. M. Wright—17. |
| J. Guthrie Coke, | W. L. Reeves, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Lewis Potter, |
| Wm. A. Allen, | M. Woods Ferguson, | Hiram S. Powell, |
| George W. Anderson, | James B. Fitzpatrick, | John Rowan, |
| W. W. Ayers, | Manlius T. Flippin, | J. R. Sanders, |
| G. W. Bailey, | C. D. Foote, | Samuel M. Sanders, |
| Alpheus W. Bascom, | Joseph P. Foree, | C. C. Scales, |
| W. N. Beckham, | Clinton Griffith, | Wm. Sellers, |
| John A. Bell, | J. P. Hampton, | C. W. Threlkeld, |
| W. B. M. Brooks, | Wm. A. Hoskins, | Harry I. Todd, |
| W. W. Bush, | E. Polk Johnson, | Joseph T. Tucker, |
| Robert M. Carlisle, | T. M. Johnson, | T. W. Varnon, |
| George Carter, | T. J. Jones, | E. F. Waide, |
| B. E. Cassilly, | J. S. Lawson, | J. L. Waring, |
| Josiah H. Combs, | William J. McElroy, | C. H. Webb, |
| R. D. Cook, | M. E. McKenzie, | J. M. White, |
| R. L. Cooper, | T. J. Megibben, | Mordecai Williams, |
| Thomas H. Corbett, | J. C. Moorman, | Jonas D. Wilson, |
| J. E. Cosson, | J. L. Nall, | J. N. Woods, |
| W. W. Deaderick, | Mat. Nunan, | S. H. Woolfolk—59. |
| John W. Dyer, | Julian N. Phelps, | |

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson then moved to reconsider the vote by which said bill was passed.

Mr. Waide moved to lay the motion of Mr. Anderson on the table.

And the question being taken on the motion of Mr. Waide, it was decided in the affirmative.

And then the House adjourned.

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## SATURDAY, FEBRUARY 17, 1872.

The following petitions were presented, viz:

By Mr. Nall—

1. The petition of certain citizens of Elizabethtown, praying the passage of an act to regulate the running of trains on the Louisville and Nashville Railroad through said town.

By Mr. Bush—

2. The petition of certain citizens of Simpson county, praying for the passage of an act to prohibit the sale of spirituous liquors in that county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Railroads, and the 2d to the Committee on the Revised Statutes.

On motion, leave of absence, indefinitely, was granted to Messrs. Carlisle, Bates, Baker, Dyer, Garnett, Deaderick, Clay, Morin, and Foote.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend an act incorporating the Public Library of Kentucky.

And that they had passed bills of the following titles, viz:

1. An act to provide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the penitentiary, and to repair the walls and penitentiary building.

2. An act to amend an act, entitled "An act to incorporate the town of Brownsville, in Edmonson county," approved February 15th, 1860.

3. An act to amend an act, entitled "An act to revise the laws relating to the public schools and academy of the city of Newport," approved February 17, 1860.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Penitentiary; the 2d to the Committee on Corporate Institutions; and the 3d to the Committee on Education.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Ambrose Portwood, sheriff of Anderson county;

An act for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company;

An act to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county;

An act for the benefit of the Henry, Oldham, and Jefferson Turnpike Road Company;

An act for the benefit of the Beard's Station, Floydsburg, and Akin Turnpike Road Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. L. W. Lassing, the member returned to serve in this House from the county of Boone, to fill the vacancy occasioned by the death of Hon. T. S. Fish, appeared, produced a certificate of his election, and having taken the oath prescribed by the Constitution, repaired to his seat.

Mr. Sacksteder moved to reconsider the vote by which, on yesterday, the House of Representatives laid on the table, and thereby rejected, a bill, entitled

A bill for the benefit of J. C. Elrod, of the city of Louisville.

On motion of Mr. Bascom, a message was sent to the Senate, asking leave to withdraw therefrom the announcement of the passage by the House of Representatives of a bill from the Senate of the following title, viz:

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

Said message being communicated to the Senate, said bill was returned to the House of Representatives, and laid on the Clerk's table.

And thereupon Mr. Bascom moved to reconsider the vote by which the House of Representatives passed said bill.

Mr. McElroy, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to exempt homesteads from sale for debt," approved February 10, 1866.

Which was read the first time.

And the question being put, "Shall the bill be read a second time?" it was decided in the negative.

And so said bill was rejected.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Todd, from the Committee on Banks—

A bill for the benefit of the Farmers' Bank of Kentucky.

By Mr. McElroy, from the Committee on Propositions and Grievances—

A bill to create magistrates' and constable's district No. 11, in Hardin county.

By same—

A bill for the benefit of George W. McClure, coroner of Rockcastle county.

By Mr. Griffith, from the Committee on Claims—

A bill for the benefit of Henry G. Black, of Ballard county.

By Mr. Rowlett, from the same committee—

A bill for the benefit of Farish Arnett, of Magoffin county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Griffith, from the Committee on Claims—

An act for the benefit of L. H. Oakley and W. H. Letton, of Laurel county.

By same—

An act for the benefit of P. G. Lawson, of Warren county.

By Mr. Anderson, from the Committee on Corporate Institutions—

An act to repeal the charter of the town of Walton, Boone county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled.

An act for the benefit of B. F. Ryal, jailer of Cumberland county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read the third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be directed to draw his warrant upon the Treasurer for one hundred and two dollars and seventy-five cents, in favor of B. F. Ryal, to be paid out of any money in the Treasury not otherwise appropriated, for keeping a pauper lunatic named Martha Tobin.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Manlius T. Flippin, | John Rowan, |
| Wm. A. Allen, | Joseph P. Foree, | John P. Rowlett, |
| George W. Anderson, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| G. W. Bailey, | E. A. Graves, | J. R. Sanders, |
| John A. Bell, | C. P. Gray, | Samuel M. Sanders, |
| S. C. Bell, | Clinton Griffith, | C. C. Scales, |
| J. C. S. Blackburn, | J. P. Hampton, | William Sellers, |
| Church H. Blakey, | T. J. Jones, | J. S. Taylor, |
| Wm. F. Bond, | L. W. Lassing, | Harry I. Todd, |
| W. B. M. Brooks, | J. S. Lawson, | L. W. Trafton, |
| W. W. Bush, | Bryan S. McClure, | Joseph T. Tucker, |
| Thomas P. Cardwell, | Wm. J. McElroy, | T. W. Varnon, |
| George Carter, | M. E. McKenzie, | E. F. Waide, |
| Josiah H. Combs, | J. C. Moorman, | J. L. Waring, |
| R. D. Cook, | J. L. Nall, | J. M. White, |
| Thomas H. Corbett, | Mat. Nunan, | Mordecai Williams, |
| J. E. Cosson, | Julian N. Phelps, | J. N. Woods, |
| Walter Evans, | Lewis Potter, | S. H. Woolfolk, |
| W. H. Evans, | Hiram S. Powell, | J. M. Wright—59. |
| James B. Fitzpatrick, | E. A. Robertson, | |

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill to pay Bullitt county for keeping pauper lunatics.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $587 70 be hereby appropriated to Bullitt county for the purpose of paying to said county the amount paid by her for keeping pauper lunatics of said county that could not be received at either of the Asylums.

§ 2. That the Auditor of Public Accounts shall draw his warrant upon the Treasurer of the State, payable to the county judge of said county, for said sum of $587 70, to be paid out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall take effect after its passage.

The question was then taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | E. A. Robertson, |
| Wm. A. Allen, | Joseph P. Foree, | John Rowan, |
| George W. Anderson, | Wm. Cassius Goodloe, | John P. Rowlett, |
| G. W. Bailey, | E. A. Graves, | J. P. Sacksteder, |
| Alpheus W. Bascom, | C. P. Gray, | J. R. Sanders, |
| John A. Bell, | Clinton Griffith, | C. C. Scales, |
| S. C. Bell, | J. P. Hampton, | William Sellers, |
| J. C. S. Blackburn, | T. J. Jones, | J. S. Taylor, |
| Church H. Blakey, | J. S. Lawson, | Harry I. Todd, |
| Wm. F. Bond, | Bryan S. McClure, | L. W. Trafton, |
| W. B. M. Brooks, | William J. McElroy, | Joseph T. Tucker, |
| W. W. Bush, | M. E. McKenzie, | E. F. Waide, |
| Thomas P. Cardwell, | J. C. Moorman, | J. L. Waring, |
| George Carter, | J. L. Nall, | J. M. White, |
| Josiah H. Combs, | Mat. Nunan, | Mordecai Williams, |
| R. D. Cook, | Julian N. Phelps, | S. H. Woolfolk, |
| Thomas H. Corbett, | Lewis Potter, | J. M. Wright—53. |
| Walter Evans, | Hiram S. Powell, | |

Those who voted in the negative, were—

J. J. McAfee, W. L. Reeves, Samuel M. Sanders—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Rowlett, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of James M. Eifort.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The further consideration thereof was suspended by the arrival of the hour for going into the orders of the day.

The House then took up from the orders of the day the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Cornwall Candle Factory, of Louisville.

An act for the benefit of Benj. Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county.

An act to incorporate the Paducah and North Ballard Turnpike Road Company.

An act to authorize receivers to release liens retained by deed or mortgage in certain cases.

Said amendments were concurred in.

The House then took up resolutions from the Senate, entitled

Resolutions in regard to navigation of the Ohio and other Western rivers.

Mr. Waide offered an amendment thereto.

On motion of Mr. Bush, said resolutions and proposed amendment were referred to the Committee on Federal Relations.

The House then took up the amendment proposed by the Senate to a resolution, which originated in the House of Representatives, entitled

Resolution directing distribution of Owen's Geological Survey.

Said amendment was concurred in.

The House then took up the resolution heretofore offered by Mr. Graves, entitled

Resolution asking for information in regard to certain insurance companies.

Said resolution being twice read, was adopted.

The House then took up the motion heretofore made to discharge the committee, to whom same was referred, from the further consideration of

A bill to repeal the 3d section of an act, entitled "An act concerning the Court of Appeals," approved January 30, 1871, and to regulate the salaries of the Judges of the Court of Appeals.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and T. M. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | E. A. Graves, | J. P. Sacksteder, |
| George W. Anderson, | C. P. Gray, | J. R. Sanders, |
| Alpheus W. Bascom, | Clinton Griffith, | C. C. Scales, |
| John A. Bell, | George M. Jessee, | Harry I. Todd, |
| J. C. S. Blackburn, | J. S. Lawson, | L. W. Trafton, |
| Church H. Blakey, | J. J. McAfee, | Joseph T. Tucker, |
| Wm. F. Bond, | M. E. McKenzie, | T. W. Varnon, |
| W. B. M. Brooks, | Julian N. Phelps, | E. F. Waide, |
| W. W. Bush, | Lewis Potter, | J. L. Waring, |
| Thomas P. Cardwell, | W. L. Reeves, | S. H. Woolfolk, |
| Walter Evans, | E. A. Robertson, | J. M. Wright—34. |
| Joseph P. Foree, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Wm. Cassius Goodloe, | Hiram S. Powell, |
| W. W. Ayers, | J. P. Hampton, | John Rowan, |

| | | |
|---|---|---|
| G. W. Bailey, | Thos. M. Johnson, | Samuel M. Sanders, |
| S. C. Bell, | T. J. Jones, | William Sellers, |
| George Carter, | L. W. Lassing, | J. S. Taylor, |
| Josiah H. Combs, | Bryan S. McClure, | C. H. Webb, |
| R. D. Cook, | Wm. J. McElroy, | J. M. White, |
| Thomas H. Corbett, | J. C. Moorman, | Jonas D. Wilson, |
| J. E. Cosson, | J. L. Nall, | J. N. Woods—29. |
| W. H. Evans, | Mat. Nunan, | |

Leave was given to bring in the following bills, viz:

On motion of Mr. Bates—

1. A bill to amend the charter of Glasgow Junction.

On motion of same—

2. A bill to repeal an act to amend the charter of Cave City.

On motion of Mr. Bascom—

3. A bill to incorporate the town of Marshall, in Bath county.

On motion of same—

4. A bill for the benefit of Lewis Hardin and William Workinan, surviving trustees of Gilbert Church, of Bath county.

On motion of Mr. Williams—

5. A bill to incorporate the Tygart's Valley Iron Company.

On motion of Mr. Cardwell—

6. A bill to allow the county court clerk of Breathitt county to transcribe certain surveyors' books of Breathitt county.

On motion of Mr. Phelps—

7. A bill to amend the charter of the town of Rochester.

On motion of Mr. McClure—

8. A bill for the benefit of Henry C. Lucas, of Russell county.

On motion of Mr. Powell—

9. A bill to change the names of Martha and Mary Boggs to the name of Jenkins, and have them made legal heirs of Israel Jenkins.

On motion of same—

10. A bill to change the names of Julia and Abraham L. Sandlin, and Lavenia and Jane Huff, and Emily Strong, to the name of Clark, and make them legal heirs of Joseph Clark.

On motion of Mr. Sellers—

11. A bill to amend the charter of the town of Bryantsville.

On motion of Mr. Jones—

12. A bill to change the time of holding the court of claims in Graves county.

On motion of same—

13. A bill to give to the people of Graves county the right to elect the school commissioners of that county.

On motion of Mr. T. M. Johnson—

14. A bill for the benefit of the sureties of J. B. McWhorter.

On motion of Mr. Combs—

15. A bill for the benefit of Jonathan Smith.

On motion of Mr. Trafton—

16. A bill to exempt undertakers from serving on juries.

On motion of Mr. Jessee—

17. A bill for the benefit of Henry Male Seminary.

On motion of same—

18. A bill for the benefit of Polk Ditto.

On motion of Mr. Woolfolk—

19. A bill to amend and reduce into one the several acts concerning the town of Madisonville.

On motion of Mr. Cook—

20. A bill for the benefit of Wm. McClure.

On motion of Mr. Carter—

21. A bill for the benefit of John J. Jordan.

On motion of same—

22. A bill to amend section —, chapter —, of the Revised Statutes.

On motion of Mr. Fitzpatrick—

23. A bill for the benefit of Wm. V. Lusk.

On motion of Mr. Blakey—

24. A bill to amend the charter of the Owensboro and Russellville Railroad Company.

On motion of Mr. Coke—

25. A bill to incorporate the Market Bank of Louisville.

On motion of Mr. Sacksteder—

26. A bill to incorporate the Grand Lodge of United Order of Red Men of Kentucky.

On motion of same—

27. A bill to incorporate Washington Lodge, No. 6, Knights of Pythias.

On motion of same—

28. A bill to incorporate the First German Savings Bank of Louisville.

On motion of Mr. Wright—

29. A bill for the benefit of J. Wash Davis.

On motion of Mr. Anderson—

30. A bill to amend the charter of the Citizens' Passenger Railroad, of Louisville.

On motion of same—

31. A bill to incorporate the Church House for Females and Infirmary for the Sick.

On motion of Mr. Speaker (McCreary)—

32. A bill for the benefit of the school commissioner of Madison county.

On motion of Mr. McAfee—

33. A bill for the benefit of J. B. Kennedy.

On motion of Mr. Cosson—

34. A bill to exempt the county of Pulaski from the provisions of a late act requiring counties to furnish fire-proof safes until they can build their court-house.

On motion of Mr. Blackburn—

35. A bill to incorporate the Steele's Turnpike Road, in Woodford county.

On motion of Mr. Webb—

36. A bill for the benefit of W. M. Gray.

On motion of Mr. Griffith—

37. A bill to amend the charter of the Owensboro and Russellville Railroad.

On motion of Mr. Rowlett—

38. A bill requiring the Slack-water Navigation Company on Green river to build fish chutes or races over the dams on said Green river.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st, 2d, 9th, 10th, 16th, 20th, 22d, and 23d; the Committee on Corporate Institutions the 3d, 5th, 7th, 11th, 19th, 26th, 27th, 30th, and 31st; the Committee on Religion the 4th; the Committee on County Courts the 6th, 18th, and 34th; the Committee on the Judiciary the 8th, 12th, 13th, and 36th; the Committee on Ways and Means the 14th and 29th; the Committee on Propositions and Grievances the 15th; the Committee on Education the 17th; the Committee on Circuit Courts the 21st; the Committee on Railroads the 24th and 37th; the Committee on Banks the 25th and 28th; the Committee on Claims the 32d and 33d; and the Committee on Internal Improvement the 35th and 38th.

Mr. Griffith offered the following resolution, viz:

*Resolved*, That with a view to expedite the business of this House, and to facilitate the legislative business of each member thereof, that from and after this day all special orders be suspended until all of the standing committees and special committees, already appointed,

shall have had an opportunity to report; and that no bill or resolution shall be made a special order for any day before said committees report, except by a two thirds vote.

Which was adopted.

Mr. Graves offered the following resolution, viz:

*Resolved*, That the Committee on Charitable Institutions be directed to report a bill by which the Auditor of Public Accounts shall adjust and pay off all claims for the keeping of indigent insane lunatics, where the claim or claims comes properly authenticated in the manner and way now provided for by law, until the State shall provide sufficient accommodations in her lunatic asylums for such indigent insane persons, so as to avoid special legislation upon this subject, and that they report by bill or otherwise as soon as practicable.

Which was adopted.

And then the House adjourned.

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## MONDAY, FEBRUARY 19, 1872.

The following petitions were presented, viz:

By Mr. McClure—

1. The petition of citizens of Jamestown, Russell county, praying the passage of an act to repeal the charter of said town.

By Mr. F. A. Wilson—

2. The petition of citizens of Eddyville, praying for an act to incorporate the Eddyville Male and Female Academy, in Lyon county.

By Mr. Tucker—

3. The petition of citizens of the county of Montgomery, praying the repeal of a certain act in regard to selling ardent spirits, &c., in the village of Aaron's Run, or within a radius of two miles from the center thereof.

By Mr. Lassing—

4. The petition of Norman Sebree, asking compensation for expenses, &c., in arresting a fugitive from justice.

By Mr. Phelps—

5. The petition of certain citizens of Butler county, praying an amendment to the act incorporating the Bowling Green and Madisonville Railroad Company.

By Mr. Jones—

6. The petition of certain citizens of Graves county, praying the passage of an act to establish a schedule of freights and fare on the Paducah and Gulf Railroad.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Corporate Institutions; the 2d to the Committee on Education; the 3d to the Committee on Religion; the 4th to the Committee on Claims; and the 5th and 6th to the Committee on Railroads.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend section 4, article 1, chapter 99, of the Revised Statutes,

With a substitute by way of amendment thereto.

And that they had passed a bill of the following title, viz:

An act to amend the 3d section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on the Revised Statutes.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to amend an act to establish the town of Frederick, in Barren county."

An act to amend the charter of the Elizabethtown and Paducah Railroad Company.

An act for the benefit of Martin county.

An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds.

An act to amend the charter of the Macpelah Cemetery Company, in Montgomery county.

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Road Company.

An act to amend section 37, chapter 1, title 3, Civil Code of Practice.

An act to amend the road law of Union county.

An act to incorporate the Cabin Creek Turnpike Road Company.

An act to amend the charter of the Campbell Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Lexington City Passenger and Freight Railroad Company," approved February 24, 1870.

An act to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county.

An act for the benefit of the Henry, Oldham, and Jefferson Turnpike Road Company.

An act to amend the charter of the town of Harrodsburg.

An act for the benefit of A. Portwood, sheriff of Anderson county.

An act for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company.

An act for the benefit of the Beard's Station, Floydsburg, and Akin Turnpike Road Company.

The House then took up an unfinished report of Saturday, viz:

A bill for the benefit of James M. Eifort.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to regulate the sale of ardent spirits.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed and placed in the orders of the day.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Rowlett, from the Committee on Claims—

A bill for the benefit of John B. Greenwell, of Owen county.

By Mr. Griffith, from the same committee—

A bill for the benefit of W. B. Stivers, school commissioner of Madison county.

By Mr. W. Evans, from the same committee—

A bill to define the meaning of the word creditor, as used in the Revised Statutes and Civil Code of Practice, and in acts amendatory thereof.

By same—

A bill for the benefit of Mary W. Livingston, of Rockcastle county.

By same—

A bill for the benefit of J. B. Ross, former sheriff of Ballard county.

By same—

A bill for the benefit of certain turnpike roads in Bath county.

By same—

A bill to amend the charter of the Alexandria and Flagg Spring Turnpike Road Company.

By same—

A bill to amend section 20, of article 1, of chapter 91, of the Revised Statutes.

By Mr. Bush, from the same committee—

A bill to amend the charter of the town of Franklin.

By same—

A bill to regulate official sales in Woodford county.

By same—

A bill to change the time of holding court of claims in Graves county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. W. Evans, from the Committee on the Judiciary—

An act for the benefit of Irvin W. Bowman, late sheriff of Bracken county.

By same—

An act authorizing incorporated towns to establish work-houses and station-houses, and authorizing the confinement of persons guilty of violating town ordinances to be confined in the work-house or put to work on the streets.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. W. Evans, the Committee on the Judiciary were discharged from the further consideration of bills of the following titles, viz:

1. A bill to amend sections 24, 29, and 827, of the Civil Code of Practice, regulating the jurisdiction and pleadings of quarterly courts and justices of the peace.

2. A bill to pay jurors in justices and quarterly courts of this Commonwealth.

Mr. Blakey then moved to reconsider the vote by which the committee were discharged from the consideration of the first named bill; and on motion of Mr. Corbett, the second named bill was recommitted to the Committee on the Revised Statutes.

*Ordered*, That Mr. Lassing be added to the Committees on Ways and Means and Immigration and Labor.

On motion, leave of absence, indefinitely, was granted to Mr. Combs.

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to establish an additional justices' and constable's district and voting precinct in Ohio county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. W. Evans then moved to reconsider the vote by which said bill was passed.

Mr. W. Evans, from the Committee on the Judiciary, to whom was recommitted a bill from the Senate, entitled

An act to punish trespasses on inclosed lands in Nicholas county,

Reported the same without amendment.

Mr. Tucker offered an amendment to said bill.

The question being taken on the adoption of the amendment offered by Mr. Tucker, and no quorum voting thereon, said bill and amendment were placed in the orders of the day.

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to change the time of meeting of the General Assembly,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

Amendments were offered by Messrs. Bush and Evans, which were rejected.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Thomas H. Corbett, | W. J. McElroy, |
| W. W. Ayers, | Joseph M. Davidson, | M. E. McKenzie, |
| G. W. Bailey, | Manlius T. Flippin, | Julian N. Phelps, |
| W. N. Beckham, | Joseph P. Foree, | Lewis Potter, |
| J. A. Bell, | Wm. Cassius Goodloe, | John Rowan, |
| J. C. S. Blackburn, | E. A. Graves, | John P. Rowlett, |

| | | |
|---|---|---|
| Church H. Blakey, | C. P. Gray, | J. R. Sanders, |
| W. B. M. Brooks, | T. J. Jones, | E. F. Waide—26. |
| R. D. Cook, | Bryan S. McClure, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | George M. Jessee, | Samuel M. Sanders, |
| Alpheus W. Bascom, | T. M. Johnson, | C. W. Threlkeld, |
| S. C. Bell, | J. S. Lawson, | Harry I. Todd, |
| W. W. Bush, | L. W. Lassing, | L. W. Trafton, |
| Thomas P. Cardwell, | J. J. McAfee, | Joseph T. Tucker, |
| George Carter, | J. C. Moorman, | T. W. Varnon, |
| James S. Chrisman, | J. L. Nall, | J. L. Waring, |
| J. E. Cosson, | Mat. Nunan, | C. H. Webb, |
| W. W. Deaderick, | John W. Ogilvie, | J. M. White, |
| Walter Evans, | Hiram S. Powell, | F. A. Wilson, |
| W. H. Evans, | W. L. Reeves, | Jonas D. Wilson—35. |
| James B. Fitzpatrick, | E. A. Robertson, | |

Mr. Chrisman moved to reconsider the vote by which said bill was rejected.

Mr. W. Evans moved to lay the motion of Mr. Chrisman on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | T. M. Johnson, | C. W. Threlkeld, |
| Alpheus W. Bascom, | J. S. Lawson, | Harry I. Todd, |
| W. W. Bush, | L. W. Lassing, | L. W. Trafton, |
| Thomas P. Cardwell, | J. J. McAfee, | Joseph T. Tucker, |
| George Carter, | J. C. Moorman, | T. W. Varnon, |
| James S. Chrisman, | J. L. Nall, | J. L. Waring, |
| R. D. Cook, | Mat. Nunan, | J. M. White, |
| J. E. Cosson, | Hiram S. Powell, | F. A. Wilson, |
| W. W. Deaderick, | W. L. Reeves, | Jonas D. Wilson, |
| Walter Evans, | E. A. Robertson, | J. N. Woods, |
| W. H. Evans, | Samuel M. Sanders, | S. H. Woolfolk—34. |
| James B. Fitzpatrick, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Joseph M. Davidson, | M. E. McKenzie, |
| W. W. Ayers, | Manlius T. Flippin, | John W. Ogilvie, |
| G. W. Bailey, | Joseph P. Foree, | Julian N. Phelps, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Lewis Potter, |
| John A. Bell, | E. A. Graves, | John Rowan, |
| S. C. Bell, | C. P. Gray, | John P. Rowlett, |
| J. C. S. Blackburn, | George M. Jessee, | J. R. Sanders, |
| Church H. Blakey, | T. J. Jones, | E. F. Waide, |

W. B. M. Brooks, Bryan S. McClure, C. H. Webb—29.
Thomas H. Corbett, Wm. J. McElroy,

And so said bill was rejected.

Said bill is as follows, viz

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the stated biennial meetings of the General Assembly of the Commonwealth of Kentucky shall commence on the last day of December, except when that day falls on Sunday, and then they shall commence on the day preceding.

The House then took up from the orders of the day a bill, entitled A bill to provide for voting by ballot in the election of Representatives in Congress.

Mr. W. Evans offered an amendment thereto.

Mr. Chrisman offered a substitute for the amendment of Mr. W. Evans, which was adopted.

Mr. Bush also offered an amendment to said bill.

Pending its consideration, Mr. Bush moved to recommit said bill and amendments to a select committee of five members, with instructions to report thereon on Thursday next, at 11 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Flippin and Griffith, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Lewis Potter, |
| Wm. A. Allen, | W. W. Deaderick, | Hiram S. Powell, |
| W. W. Ayers, | Walter Evans, | E. A. Robertson, |
| G. W. Bailey, | James B. Fitzpatrick, | John Rowan, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | John P. Rowlett, |
| W. N. Beckham, | E. A. Graves, | Samuel M. Sanders, |
| John A. Bell, | C. P. Gray, | C. W. Threlkeld, |
| S. C. Bell, | T. M. Johnson, | Harry I. Todd, |
| J. C. S. Blackburn, | T. J. Jones, | L. W. Trafton, |
| Church H. Blakey, | L. W. Lassing, | Joseph T. Tucker, |
| W. B. M. Brooks, | J. S. Lawson, | T. W. Varnon, |
| W. W. Bush, | Bryan S. McClure, | E. F. Waide, |
| Thomas P. Cardwell, | M. E. McKenzie, | J. M. White, |
| George Carter, | J. C. Moorman, | F. A. Wilson, |
| James S. Chrisman, | J. L. Nall, | Jonas D. Wilson, |
| R. D. Cook, | Mat. Nunan, | J. N. Woods, |
| Thomas H. Corbett, | Julian N. Phelps, | S. H. Woolfolk—52. |
| J. E. Cosson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Manlius T. Flippin, | William J. McElroy, | C. H. Webb—5. |
| Clinton Griffith, | W. L. Reeves, | |

And thereupon the Speaker appointed on said committee Messrs. Reeves, Bush, Goodloe, Deaderick, and Fitzpatrick.

The House then took up the joint resolution heretofore offered by Mr. Flippin, entitled

Resolutions in regard to the removal of the National Capital.

Said resolutions being twice read, were rejected.

On motion of Mr. Chrisman,

*Ordered*, That a committee of conference on the part of this House be appointed on the subject of the disagreement of the two Houses in regard to the amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

And that said committee be directed to inform the Senate of their appointment, and request the appointment of a similar committee on their part.

And thereupon the Speaker appointed on said committee, on the part of this House, Messrs. Chrisman, Graves, and Davidson.

The House then took up the amendment proposed by the Senate to resolutions heretofore offered by Mr. Graves, entitled

Resolutions in relation to distilleries and the tax thereon.

Said amendment was concurred in.

The House then took up for further consideration a bill, entitled

A bill to repeal an act, entitled "An act to exempt homesteads from sale for debt," approved February 10, 1866.

On motion of Mr. Tucker,

*Ordered*, That said bill be recommitted to the Committee on the Revised Statutes.

The House then took up the motion to reconsider the vote by which this House laid on the table, and thereby rejected, a bill, entitled

A bill to prevent persons from interfering so as to induce laborers or servants to abandon their contracts, or to employ such without the consent of their original employer before the expiration of the contract, &c.,

Mr. W. Evans moved to lay the motion to reconsider on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | James B. Fitzpatrick, | Hiram S. Powell, |
| J. A. Bell, | Manlius T. Flippin, | E. A. Robertson, |
| Church H. Blakey, | Wm. Cassius Goodloe, | J. R. Sanders, |
| W. W. Bush, | L. W. Lassing, | Samuel M. Sanders, |
| Thomas P. Cardwell, | W. J. McElroy, | Harry I. Todd, |
| James S. Chrisman, | J. C. Moorman, | Joseph T. Tucker, |
| R. D. Cook, | J. L. Nall, | T. W. Varnon, |
| J. E. Cosson, | Mat. Nunan, | J. L. Waring, |
| Walter Evans, | Julian N. Phelps, | Jonas D. Wilson, |
| W. H. Evans, | Lewis Potter, | J. N. Woods—30. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | E. A. Graves, | John Rowan, |
| Wm. A. Allen, | C. P. Gray, | John P. Rowlett, |
| W. W. Ayers, | Clinton Griffith, | C. W. Threlkeld, |
| G. W. Bailey, | T. M. Johnson, | L. W. Trafton, |
| S. C. Bell, | T. J. Jones, | E. F. Waide, |
| J. C. S. Blackburn, | J. S. Lawson. | J. M. White, |
| W. B. M. Brooks, | Bryan S. McClure, | F. A. Wilson, |
| Thomas H. Corbett, | M. E. McKenzie, | S. H. Woolfolk—24. |

The Speaker laid before the House the following communication from the Auditor, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., February 19, 1872.

HON. JAMES B. MCCREARY, *Speaker of the House of Representatives:*

SIR: In obedience to a resolution adopted by the honorable body over which you preside, on the 14th instant, calling on me to report whether any foreign insurance companies (fire, marine, or life) doing business in this State have deposited in my office any bonds, stocks, choses in action, or other thing of value which could be rendered liable to the payment of any debt or judgment rendered in the courts of this Commonwealth, I respectfully respond: That under the 34th and 35th sections of an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12th, 1870, the "Virginia Home Insurance Company" has deposited with me twelve (12) first mortgage bonds of the Lexington and Frankfort and Louisville and Frankfort Railroad Company, of one thousand dollars ($1,000) each (with coupons attached), bearing seven per cent per annum interest, payable semi-annually, on the 1st of January and 1st of July in each year, and due January, 1897. And the "Old Dominion" Fire Insurance Company, of Richmond, Virginia, has deposited with me two (2) United States six per cent. interest-bearing bonds of five thousand dollars ($5,000) each.

The foregoing constitute all of the securities held by me for insurance companies, foreign or otherwise.

The securities required to be filed by foreign Life Insurance Companies, under the 12th section of the act of March 12, 1870, for the incorporation and regulation of such companies, have to be deposited with the State Treasurer, and not with the Auditor. I cannot, therefore, give any information on that subject.

I have the honor to be,

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, *Auditor.*

The House then took up the motion heretofore made to reconsider the vote by which this House passed a bill, entitled

A bill to amend section 1, article 17, chapter 38, of the Revised Statutes.

Mr. Graves then moved to lay said bill on the table.

And the question being taken on the motion of Mr. Graves, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Manlius T. Flippin, | Mat. Nunan, |
| Wm. A. Allen, | Joseph P. Foree, | Julian N. Phelps, |
| W. W. Ayers, | Wm. Cassius Goodloe, | E. A. Robertson, |
| G. W. Bailey, | E. A. Graves, | John Rowan, |
| John A. Bell, | C. P. Gray, | C. W. Threlkeld, |
| S. C. Bell, | George M. Jessee, | T. W. Varnon, |
| W. B. M. Brooks, | Thos. M. Johnson, | E. F. Waide, |
| Thomas P. Cardwell, | T. J. Jones, | C. H. Webb, |
| George Carter, | L. W. Lassing, | J. M. White, |
| James S. Chrisman, | Bryan S. McClure, | Jonas D. Wilson, |
| Thomas H. Corbett, | Wm. J. McElroy, | J. N. Woods, |
| Walter Evans, | M. E. McKenzie, | S. H. Woolfolk—38. |
| W. H. Evans, | J. C. Moorman, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | W. W. Deaderick, | Hiram S. Powell, |
| W. N. Beckham, | James B. Fitzpatrick, | W. L. Reeves, |
| J. C. S. Blackburn, | Clinton Griffith, | Harry I. Todd, |
| Church H. Blakey, | J. S. Lawson, | L. W. Trafton, |
| W. W. Bush, | J. L. Nall, | Joseph T. Tucker—17. |
| J. E. Cosson, | Lewis Potter, | |

And so said bill was rejected.

And then the House adjourned.

## TUESDAY, FEBRUARY 20, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Tarlton—

1. The petition of a majority of the stockholders in the Lagrange and Shelbyville Turnpike Road Company, praying the passage of an act to enable them to sell their said road to pay its debts.

By Mr. Foree—

2. The petition of certain citizens of Harrisonville and vicinity, praying the passage of an act to abolish the sale of ardent spirits in said place, and within three miles thereof.

By same—

3. The remonstrance of certain citizens of same place and vicinity, against the passage of such act.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d and 3d to the Committee on Religion.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3, 1871.

An act to incorporate the Lexington Building and Accumulating Fund Association.

An act to amend an act to incorporate the North Middletown Deposit Bank, approved March 15, 1869.

An act to amend an act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth, approved March 25, 1871.

An act to amend an act, entitled "An act for the benefit of common school districts in Clinton county."

An act to amend chapter 105, Revised Statutes—weight of coal.

An act to incorporate the Caseyville Deposit Bank, of Union county.

An act to incorporate the Smith's Grove Deposit Bank.

An act for the appointment of official reporters and for the preservation of evidence in certain cases in Jefferson county.

An act to amend the town charter of New Market, in Marion county.

An act to incorporate the town of Montgomery, in Trigg county.

With amendments to the last six named bills.

That they had disagreed to a bill, which originated in the House of Representatives, of the following title, viz:

An act to change the time of holding the county court in Lincoln county.

And that they had passed bills of the following titles, viz:

1. An act to amend chapter 28, article 4, Revised Statutes, title "Crimes and Punishments."

2. An act to incorporate the Newport Gas-light and Fuel Company.

3. An act to incorporate the German Insurance Bank.

4. An act for the benefit of Rufus D. Smith, of the county of Jessamine.

5. An act for the benefit of A. E. Camp, jailer of Jefferson county.

6. An act to change the terms and regulate the business of the Graves circuit court.

7. An act to incorporate Barlow City, in Ballard county.

8. An act to enable the board of trustees of Harrodsburg to pay and discharge the indebtedness of the town.

9. An act to provide for advertising of certain judicial sales in Jefferson county.

10. An act to incorporate the Woodland Market-house Company, of Louisville.

11. An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming.

12. An act authorizing county judges to call special terms of their courts, and legalizing the proceedings of all special or call terms of said courts.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Revised Statutes; the 2d, 7th, and 10th to the Committee on Corporate Institutions; the 3d to the Committee on Banks; the 4th and 5th to the Committee on Claims; the 6th to the Committee on Circuit Courts; the 8th and 9th to the Committee on the Judiciary; the 11th

to the Committee on Agriculture and Manufactures; and the 12th to the Committee on County Courts.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Bush, from the Committee on the Judiciary—

An act authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts.

By same—

An act to amend an act, entitled "An act for the benefit of the estate of Thos. H. Crawford," approved January 13, 1872.

By same—

An act to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5, 1866, and the several acts amendatory thereof.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act for the benefit of W. G. Blount, executor of Jas. G. Edens, deceased, of McCracken county.

With amendments thereto.

Said amendments were concurred in, and the title thereof so changed as to read,

An act for the benefit of the sureties of J. C. Calhoon, late sheriff of McCracken county.

Bills were reported by the several committees who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Bush, from the Committee on the Judiciary—

A bill to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

By same—

A bill to provide for orders of injunction in certain cases, and the trial thereof.

By same—

A bill to amend section 39th of the city charter of Owensboro.

By Mr. Sacksteder, from the same committee—

A bill to incorporate the German Baptist Bethesda Society.

By Mr. Griffith, from the Committee on Claims—

A bill for the benefit of James B. Wiley, of McCracken county.

By same—

A bill for the benefit of John G. Johns, of Floyd county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bush, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to supply public books for Kenton and Campbell counties.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State be, and he is hereby, directed to furnish to the counties of Kenton and Campbell the public books allowed to their offices by the provisions of chapter 61 of the Revised Statutes, upon the application of the presiding judge of said counties, as provided in an act, entitled "An act concerning public books and providing for the supply to destitute counties," approved March 16, 1869; and such books as furnished shall be kept and used at Independence and Alexandria in said counties. The provisions of the aforesaid act shall apply to and regulate all the steps and proceedings had under this act, and the public offices in said counties shall be responsible for the books furnished in the same manner, and to the same extent, as therein provided.

§ 2. That this act shall take effect and be in force from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Bush, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Wm. A. Allen, | Walter Evans, | W. L. Reeves, |
| W. W. Ayers, | W. H. Evans, | E. A. Robertson, |
| G. W. Bailey, | James B. Fitzpatrick, | John Rowan, |
| R. Tarv. Baker, | Manlius T. Flippin, | John P. Rowlett, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| W. N. Beckham, | E. A. Graves, | J. R. Sanders, |
| John A. Bell, | C. P. Gray, | William Sellers, |
| S. C. Bell, | Clinton Griffith, | William Tarlton, |
| J. C. S. Blackburn, | E. Polk Johnson, | J. S. Taylor, |
| Church H. Blakey, | Thos. M. Johnson, | C. W. Threlkeld, |
| W. B. M Brooks, | L. W. Lassing, | Harry I. Todd, |
| W. W. Bush, | J. S. Lawson, | L. W. Trafton, |
| Thomas P. Cardwell, | Bryan S. McClure, | Joseph T. Tucker, |
| John S. Carpenter, | Wm. J. McElroy, | T. W. Varnon, |
| George Carter, | M. E. McKenzie, | E. F. Waide, |
| B. E. Cassilly, | J. C. Moorman, | J. L. Waring, |
| James S. Chrisman, | J. L. Nall, | J. M. White, |
| C. M Clay, jr., | Mat. Nunan, | F. A. Wilson, |
| William G. Conrad, | John W. Ogilvie, | Jonas D. Wilson, |
| R. D. Cook, | Julian N. Phelps, | J. N. Woods, |
| Thomas H. Corbett, | Lewis Potter, | S. H. Woolfolk, |
| John W. Dyer, | Hiram S. Powell, | J. M. Wright—66. |

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Bush, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill for the benefit of J. J. Wood, late sheriff of Clinton county, and his securities.

Which was read the first time as follows, viz:

WHEREAS, At June term, 1862, a judgment was rendered by the Franklin circuit court against the said J. J. Wood, sheriff of Clinton county, for the collection of revenue in 1861, and Thomas Travis, A. Pierce, J. H. Wood, V. D. Hopkins, and Wm. Perkins, his sureties, for the sum of $1,085 89, and also the sum of $489 78 damages, and the further sum of $9 15 costs, amounting, with interest, on the 14th September, 1869, to the sum of $3,646 77, subject to the credits of $1,172 97; and whereas, it appears that said judgment has been fully paid off and discharged, except the damages aforesaid, by sale of the said J. J. Wood's lands of 111½ acres, for the nominal sum of $285, and the residue of said judgment paid by his said sureties, Thomas Travis and J. H. Wood, with sheriff's

commissions; and whereas, said county of Clinton is a border county, and was exposed to the ravages of the war, so that no civil business could be transacted in said county from the summer of 1861, until after the close of the war; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said sum of $489 78 damages, recovered as aforesaid, against the said J. J. Wood, and his sureties, in said Franklin circuit court, at said June term, 1862, in the name of the Commonwealth of Kentucky, be, and the same is hereby, remitted and discharged in full.

§ 2 That the said sum of $1,085 89, being the amount of interest paid by the said Thomas Travis and J. H. Wood, as sureties aforesaid upon said judgment, be, and the same is hereby, ordered to be refunded to them, the said Thomas Travis and J. H. Wood, to be received by them in proportion to the amount each paid respectively; and for said sum of $1,085 89 the Auditor of Public Accounts will draw his warrant upon the Treasurer, made payable to said Thomas Travis and J. H. Wood, out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall take effect from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | John W. Dyer, | W. L. Reeves, |
| W. W. Ayers, | Walter Evans, | E. A. Robertson, |
| G. W. Bailey, | W. H. Evans, | John Rowan, |
| R. Tarv. Baker, | James B. Fitzpatrick, | John P. Rowlett, |
| Alpheus W. Bascom, | Manlius T. Flippin, | J. P. Sacksteder, |
| W. N. Beckham, | E. A. Graves, | J. R. Sanders, |
| John A. Bell, | C. P. Gray, | Wm. Sellers, |
| S. C. Bell, | Clinton Griffith, | Wm. Tarlton, |
| J. C. S. Blackburn, | George M. Jessee, | J. S. Taylor, |
| Church H. Blakey, | E. Polk Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | T. M. Johnson, | Harry I. Todd, |
| W. B. M. Brooks, | T. J. Jones, | L. W. Trafton, |
| W. W. Bush, | L. W. Lassing, | Joseph T. Tucker, |
| Thomas P. Cardwell, | J. S. Lawson, | T. W. Varnon, |
| John S. Carpenter, | J. J. McAfee, | E. F. Waide, |

George Carter, B. E. Cassilly, James S. Chrisman, C. M. Clay, jr., Wm. G. Conrad, R. D. Cook, Thomas H. Corbett, J. E. Cosson, Joseph M. Davidson, W. W. Deaderick, Bryan S. McClure, M. E. McKenzie, J. C. Moorman, J. L. Nall, Mat. Nunan, John W. Ogilvie, Julian N. Phelps, Lewis Potter, Hiram S. Powell, J. L. Waring, C. H. Webb, J. M. White, Mordecai Williams, F. A. Wilson, Jonas D. Wilson, J. N. Woods, S. H. Woolfolk, J. M. Wright—73.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that, in obedience to the request of the House of Representatives, they had appointed a committee of conference on their part, to act with the committee appointed by the House of Representatives, on the matter of the disagreement of the two Houses with respect to the amendment proposed by the Senate to a bill which originated in this House, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

And that their said committee consists of Messrs. Clay, Haydon, and Conklin.

Mr. Sacksteder, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to exempt dentists and prescription druggists from serving on juries.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Mrs. Russell Kavanaugh.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there be, and is hereby, appropriated, out of any money in the Treasury of Kentucky not otherwise appropriated, the sum of eight hundred dollars; and that the Auditor of Public Accounts draw his warrant on the Treasurer thereof in favor of Mrs. Russell Kavanaugh, relict of George W. Kavanaugh, deceased, late Judge of the Seventh Judicial District of this Commonwealth.

§ 2. That this act shall be in force from and after its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage thereof, and not having received a constitutional majority, it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | James B. Fitzpatrick, | J. P. Sacksteder, |
| W. N. Beckham, | Joseph P. Foree, | J. R. Sanders, |
| J. C. S. Blackburn, | E. A. Graves, | C. C. Scales, |
| Church H. Blakey, | Clinton Griffith, | Wm. Sellers, |
| Wm. F. Bond, | George M. Jessee, | Harry I. Todd, |
| W. W. Bush, | E. Polk Johnson, | L. W. Trafton, |
| Thomas P. Cardwell, | L. W Lassing, | Joseph T. Tucker, |
| John S. Carpenter, | J. S. Lawson, | T. W. Varnon, |
| B. E. Cassilly, | J. J. McAfee, | E. F. Waide, |
| R. D. Cook, | M. E. McKenzie, | J. L. Waring, |
| Joseph M. Davidson, | J. L. Nall, | Mordecai Williams, |
| W. W. Deaderick, | Mat. Nunan, | F. A. Wilson, |
| John W. Dyer, | E. A. Robertson, | J. M. Wright—40. |
| Walter Evans, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Manlius T. Flippin, | Hiram S. Powell, |
| W. W. Ayers, | Wm. Cassius Goodloe, | W. L. Reeves, |
| G. W. Bailey, | T. M. Johnson, | John Rowan, |
| John A. Bell, | T. J. Jones, | Samuel M. Sanders, |
| S. C. Bell, | Bryan S. McClure, | J. S. Taylor, |
| George Carter, | William J. McElroy, | C. W. Threlkeld, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| Wm. G. Conrad, | John W. Ogilvie, | Jonas D. Wilson, |
| J. E. Cosson, | Julian N. Phelps, | J. N. Woods—29. |
| W. H. Evans, | Lewis Potter, | |

And so said bill was rejected.

Mr. Reeves then moved to reconsider the vote by which said bill was rejected.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Sanford Goin, of Franklin county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Chrisman offered an amendment thereto, which was adopted.

Mr. Flippin also offered an amendment to said bill.

Pending its consideration, the hour of 12 o'clock, M., arrived, and the House proceeded with the orders of the day.

The House then took up the motion to reconsider the vote by which this House, on a former day, passed a bill from the Senate, entitled

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

The vote by which said bill was ordered to a third reading, on the motion of Mr. Tucker, was also reconsidered.

Mr. Bascom then offered amendments to said bill, which were adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the motion heretofore made to reconsider the vote by which a resolution offered by Mr. Bush, entitled

Resolution in regard to the adjournment of this General Assembly,

And the substitute proposed by Mr. Tucker thereto, were postponed until the 26th inst.

Said vote was then reconsidered.

The resolution offered by Mr. Bush reads as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the present session of the Legislature finally adjourns, it will adjourn *sine die*, and that no extra session will be held unless called by the Executive of the State.

The substitute proposed by Mr. Tucker for said resolution is as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the two Houses of the General Assembly adjourn on the 22d day of February, 1872, they adjourn to meet again on the 1st Monday in January, 1873, at 12 o'clock, M.

Mr. Corbett moved to amend the substitute offered by Mr. Tucker by striking out the words "22d day of February, 1872," and inserting in lieu thereof the words "12th day of March, 1872."

The amendment proposed by Mr. Corbett was adopted.

The question was then taken on the adoption of the substitute proposed by Mr. Tucker, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Bush, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | J. S. Lawson, | C. C. Scales, |
| B. E. Cassilly, | J. J. McAfee, | Harry I. Todd. |
| C. M. Clay, jr., | Julian N. Phelps, | Joseph T. Tucker, |
| J. E. Cosson, | Hiram S. Powell, | J. L. Waring, |
| Joseph M. Davidson, | E. A. Robertson, | J. M. White, |
| W. W. Deaderick, | J. P. Sacksteder, | Mordecai Williams, |
| James B. Fitzpatrick, | J. R. Sanders, | J. M. Wright—22. |
| E. Polk Johnson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | John W. Dyer, | John W. Ogilvie, |
| W. W. Ayers, | Walter Evans, | Lewis Potter, |
| G. W. Bailey, | W. H. Evans, | W. L. Reeves, |
| R. Tarv. Baker, | Manlius T. Flippin, | John Rowan, |
| W. N. Beckham, | Joseph P. Foree, | John P. Rowlett, |
| John A. Bell, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| S. C. Bell, | E. A. Graves, | William Sellers, |
| J. C. S. Blackburn, | Clinton Griffith, | Wm. Tarlton, |
| Church H. Blakey, | George M. Jessee, | J. S. Taylor, |
| Wm. F. Bond, | T. M. Johnson, | C. W. Threlkeld, |
| W. B. M. Brooks, | T. J. Jones, | L. W. Trafton, |
| W. W. Bush, | L. W. Lassing, | E. F. Waide, |
| John S. Carpenter, | Bryan S. McClure, | C. H. Webb, |
| George Carter, | William J. McElroy, | F. A. Wilson, |
| James S. Chrisman, | M. E. McKenzie, | Jonas D. Wilson, |
| Wm. G. Conrad, | J. C. Moorman, | J. N. Woods, |
| R. D. Cook, | J. L. Nall, | S. H. Woolfolk—53. |
| Thomas H. Corbett, | Mat. Nunan, | |

And so said substitute was rejected.

Mr. McAfee then moved to lay the resolution of Mr. Bush on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Bush, were as follows, viz:

Those who voted in the affirmative, were—

Alpheus W. Bascom, James S. Chrisman, J. E. Cosson, Joseph M. Davidson, W. W. Deaderick, John W. Dyer, W. H. Evans, James B. Fitzpatrick, Joseph P. Foree, Clinton Griffith, E. Polk Johnson, L. W. Lassing, J. S. Lawson, J. J. McAfee, Mat. Nunan, Julian N. Phelps, Hiram S. Powell, E. A. Robertson, J. P. Sacksteder, J. R. Sanders, C. C. Scales, William Sellers, Harry I. Todd, J. L. Waring, J. M. White, Mordecai Williams, S. H. Woolfolk, J. M. Wright—28.

Those who voted in the negative, were—

Wm. A. Allen, W. W. Ayers, G. W. Bailey, R. Tarv. Baker, W. N. Beckham, John A. Bell, S. C. Bell, J. C. S. Blackburn, Church H. Blakey, Wm. F. Bond, W. B. M. Brooks, W. W. Bush, John S. Carpenter, George Carter, B. E. Cassilly, C. M. Clay, jr., Wm. G. Conrad, Thomas H. Corbett, Walter Evans, Manlius T. Flippin, Wm. Cassius Goodloe, E. A. Graves, T. M. Johnson, T. J. Jones, Bryan S. McClure, William J. McElroy, M. E. McKenzie, J. C. Moorman, J. L. Nall, John W. Ogilvie, Lewis Potter, W. L. Reeves, John Rowan, John P. Rowlett, Samuel M. Sanders, William Tarlton, J. S. Taylor, C. W. Threlkeld, L. W. Trafton, Joseph T. Tucker, T. W. Varnon, E. F. Waide, C. H. Webb, F. A. Wilson, Jonas D. Wilson, J. N. Woods—46.

And so the House refused to lay the resolution on the table.

Mr. W. Evans then moved to amend the resolution by inserting the words "on the 12th day of March" after the word "adjourns," in the second line thereof.

At 20 minutes past 1 o'clock, P. M., Mr. Dyer moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Scales and Rowlett, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Ayers, B. E. Cassilly, J. E. Cosson, Joseph M. Davidson, John W. Dyer, W. H. Evans, L. W. Lassing, J. J. McAfee, Mat. Nunan, Hiram S. Powell, J. R. Sanders, Wm. Sellers, J. S. Taylor, F. A. Wilson, S. H. Woolfolk—15.

Those who voted in the negative, were—

Wm. A. Allen, G. W. Bailey, Thomas H. Corbett, Walter Evans, Julian N. Phelps, Lewis Potter,

| | | |
|---|---|---|
| W. N. Beckham, | James B. Fitzpatrick, | W. L. Reeves, |
| John A. Bell, | Manlius T. Flippin, | John Rowan, |
| S. C. Bell, | Wm. Cassius Goodloe, | John P. Rowlett, |
| J. C. S. Blackburn, | E. A. Graves, | Samuel M. Sanders, |
| Church H. Blakey, | E. Polk Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | T. M. Johnson, | Joseph T. Tucker, |
| W. B. M. Brooks, | T. J. Jones, | E. F. Waide, |
| W. W. Bush, | J. S. Lawson, | J. L. Waring, |
| Thomas P. Cardwell, | Bryan S. McClure, | C. H. Webb, |
| John S. Carpenter, | Wm. J. McElroy, | J. M. White, |
| George Carter, | M. E. McKenzie, | Mordecai Williams, |
| James S. Chrisman, | J. C. Moorman, | Jonas D. Wilson, |
| Wm. G. Conrad, | J. L. Nall, | J. N. Woods—45. |

And so the House refused to adjourn at that hour.

Mr. Bush then moved the previous question.

And the question being taken, "Shall the main question be now put?" the ballot resulted as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Walter Evans, | John Rowan, |
| W. W. Ayers, | Wm. Cassius Goodloe, | John P. Rowlett, |
| G. W. Bailey, | E. A. Graves, | J. R. Sanders, |
| W. N. Beckham, | Clinton Griffith, | J. S. Taylor, |
| J. A. Bell, | E. Polk Johnson, | C. W. Threlkeld, |
| S. C. Bell, | T. J. Jones, | T. W. Varnon, |
| J. C. S. Blackburn, | Bryan S. McClure, | E. F. Waide, |
| Church H. Blakey, | W. J. McElroy, | J. L. Waring, |
| Wm. F. Bond, | J. C. Moorman, | J. M. White, |
| W. W. Bush, | W. A. Morin, | F. A. Wilson, |
| John S. Carpenter, | J. L. Nall, | Jonas D. Wilson, |
| B. E. Cassilly, | Julian N. Phelps, | J. N. Woods, |
| William G. Conrad, | Lewis Potter, | S. H. Woolfolk—41. |
| Thomas H. Corbett, | W. L. Reeves, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | Manlius T. Flippin, | Thos. M. Johnson, |
| James S. Chrisman, | Joseph P. Foree, | L. W. Lassing, |
| J. E. Cosson, | George M. Jessee, | J. S. Lawson—9 |

Whereupon the Speaker declared, inasmuch as a constitutional majority of the House was not present and voting, the House stood adjourned until to-morrow at half-past nine o'clock, A. M.

## WEDNESDAY, FEBRUARY 21, 1872.

The following petitions were presented, viz:

By Mr. McAfee—

1. The petition of certain citizens of Mercer county, praying the passage of an act to prohibit the sale of liquors which will intoxicate at and one half mile from the bed of the Kirkwood and Salvisa Turnpike Road, in said county.

By Mr. Sellers—

2. The petition of certain citizens of Garrard county, praying the passage of an act prohibiting the sale of ardent spirits in that county.

By Mr. Sacksteder—

3. The petition of sundry members in the German Mutual Associations of Louisville, praying that they may be exempted from the operation of the general insurance law.

By Mr. Bates—

4. The petition of certain citizens of Glasgow, praying the passage of an act granting a new charter for that town.

By Mr. Dyer—

5. The petition of Joseph Deal, of Union county, praying the passage of a certain act therein named for his relief.

By Mr. Lassing—

6. The petition of certain citizens of Florence, Boone county, praying the passage of an act to increase the jurisdiction of their police and justices' courts.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Religion; the 3d to the Committee on Insurance; the 4th to the Committee on Corporate Institutions; the 5th to the Committee on the Judiciary; and the 6th to the Committee on Codes of Practice.

Mr. Geo. M. Thomas, the member returned to serve in this House from the county of Lewis, to fill the vacancy in the office of Representative therefrom, appeared, produced a certificate of his election, took the oath prescribed by law, and repaired to his seat.

On motion, leave of absence, indefinitely, was granted to Messrs. Threlkeld, Coke, and Hampton.

A message was received from the Senate, asking to withdraw from this House the announcement of the passage of an act, which originated in the Senate, entitled

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

Which was granted, and the bill delivered to the Senate messenger.

A message was also received from the Senate, announcing that they had adopted a joint resolution, entitled

Resolution on the death of Daniel Clark, Ancient Governor.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Sacksteder, from the Committee on the Judiciary—

A bill to amend the charter of the town of Midway, Woodford county.

By same—

A bill to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits in said court, and continue the same.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Ambrose Portwood.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The said bill was placed in the orders of the day.

Mr. Sacksteder, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to amend an act, entitled "An act for the protection of the livery stable-keepers of this Commonwealth,"

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the fourth section of an act, entitled "An act for the protection of the livery stable-keepers of this Commonwealth," approved January 31st, 1871, be, and the same is hereby, repealed.

§ 2. That the lien given in the act to which this is an amendment shall exist between the parties to the first contract only.

§ 3. That the provisions of this and said act hereby amended shall apply to keepers and owners of training stables.

§ 4. This act shall take effect from and after its passage.

Mr. W. Evans offered the following amendment to said bill, viz:

§ 2. That all merchants, grocers, and vendors of poultry or fuel, shall have a lien on every article of merchandise, poultry, or fuel sold by them, until the price therefor is paid, notwithstanding possession of such merchandise, poultry, or fuel may have been delivered to the vendee or purchaser.

Mr. Graves then moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Walter Evans, | Lewis Potter, |
| Wm. A. Allen, | W. H. Evans, | E. A. Robertson, |
| W. W. Ayers, | James B. Fitzpatrick, | J. R. Sanders, |
| G. W. Bailey, | Manlius T. Flippin, | Samuel M. Sanders, |
| S. C. Bell, | E. A. Graves, | Wm. Tarlton, |
| Church H. Blakey, | Clinton Griffith, | J. S. Taylor, |
| W. B. M. Brooks, | Wm. A. Hoskins, | George M. Thomas, |
| Thomas P. Cardwell, | T. J. Jones, | C. W. Threlkeld, |
| George Carter, | J. S. Lawson, | L. W. Trafton, |
| James S. Chrisman, | Bryan S. McClure, | E. F. Waide, |
| Wm. G. Conrad, | Wm. J. McElroy, | J. L. Waring, |
| Thomas H. Corbett, | Mat. Nunan, | C. H. Webb, |
| J. E. Cosson, | John W. Ogilvie, | J. M. White, |
| W. W. Deaderick, | Julian N. Phelps, | J. N. Woods—43. |
| John W. Dyer, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | C. D. Foote, | W. L. Reeves, |
| A. S. Arnold, | Joseph P. Foree, | John Rowan, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | John P. Rowlett, |
| Alpheus W. Bascom, | C. P. Gray, | J. P. Sacksteder, |

| | | |
|---|---|---|
| W. R. Bates, | E. Polk Johnson, | C. C. Scales, |
| W. N. Beckham, | T. M. Johnson, | Wm. Sellers, |
| John A. Bell, | L. W. Lassing, | Harry I. Todd, |
| J. C. S. Blackburn, | J. J. McAfee, | Joseph T. Tucker, |
| Wm. F. Bond, | T. J. Megibben, | T. W. Varnon, |
| Robert M. Carlisle, | J. C. Moorman, | F. A. Wilson, |
| C. M. Clay, jr., | W. A. Morin, | Jonas D. Wilson, |
| R. D. Cook, | J. L. Nall, | J. M. Wright—38. |
| R. L. Cooper, | Hiram S. Powell, | |

And so said bill was rejected.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Irvin W. Bowman, late sheriff of Bracken county;

An act for the benefit of L. H. Oakley and W. H. Letton, of Laurel county;

An act for the benefit of B. F. Ryal, jailer of Cumberland county;

An act for the benefit of P. G. Lawson, of Warren county;

An act authorizing incorporated towns to establish work-houses and station-houses, and authorizing the confinement of persons guilty of violating town ordinances to be confined in the work-house or put to work on the streets;

An act to amend the charter of the city of Louisville;

An act to legalize the acts of O. G. Moore, sheriff of Edmonson county, and authorizing him to give bond;

An act to repeal the charter of the town of Walton, Boone county;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act incorporating the Public Library of Kentucky;

An act to amend the charter of the Cornwall Candle Factory, of Louisville;

An act for the benefit of Benj. Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county;

An act for the benefit of the sureties of J. C. Calhoon, late sheriff of McCracken county;

Resolution directing distribution of Owen's Geological Survey;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to repeal all laws which require or prescribe any qualification for voters in this Commonwealth other than those prescribed in section 8 of article 2 of the Constitution, in all elections, whether for State, county, city, or town officers.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Varnon offered the following amendment thereto, viz:

*Provided*, That the provisions of this act shall not apply to, or be in force in, Lincoln county.

Which was rejected.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all laws of this State which prescribe or require other qualifications for voters in any election, whether for State, county, city, or town officers, than those prescribed by section 8 of article 2 of the Constitution, be, and the same are hereby, repealed: *Provided*, That nothing herein shall apply to any election under any school law of the State.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Baker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | Walter Evans, | Wm. Sellers, |
| W. R. Bates, | W. H. Evans, | G. M. Thomas, |
| Thomas P. Cardwell, | Manlius T. Flippin, | Jonas D. Wilson, |
| R. D. Cook, | Wm. Cassius Goodloe, | J. N. Woods—14. |
| J. E. Cosson, | Mat. Nunan, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Lewis Potter, |
| Wm. A. Allen, | John W. Dyer, | W. L. Reeves, |
| George W. Anderson, | James B. Fitzpatrick, | E. A. Robertson, |
| A. S. Arnold, | C. D. Foote, | John Rowan, |
| W. W. Ayers, | Jseoph P. Foree, | John P. Rowlett, |
| G. W. Bailey, | E A. Graves, | J. P. Sacksteder, |
| Alpheus W. Bascom, | C. P. Gray, | J. R. Sanders, |
| W. N. Beckham, | Clinton Griffith, | Samuel M. Sanders, |
| John A. Bell, | Wm. A. Hoskins, | C. C. Scales, |

S. C. Bell,
J. C. S. Blackburn,
Church H. Blakey,
Wm. F. Bond,
W. B. M. Brooks,
W. W. Bush,
Robert M. Carlisle,
John S. Carpenter,
George Carter,
James S. Chrisman,
C. M. Clay, jr.,
Wm. G. Conrad,
R. L. Cooper,
Thomas H. Corbett,
Joseph M. Davidson,
George M. Jessee,
E. Polk Johnson,
T. M. Johnson,
T. J. Jones,
L. W. Lassing,
J. S. Lawson,
Bryan S. McClure,
William J. McElroy,
M. E. McKenzie,
T. J. Megibben,
J. C. Moorman,
W. A. Morin,
J. L. Nall,
John W. Ogilvie,
Julian N. Phelps,
Wm. Tarlton,
J. S. Taylor,
C. W. Threlkeld,
Harry I. Todd,
L. W. Trafton,
Joseph T. Tucker,
T. W. Varnon,
E. F. Waide,
J. L. Waring,
C. H. Webb,
J. M. White,
F. A. Wilson,
S. H. Woolfolk,
J. M. Wright—71.

And so said bill was rejected.

The House then again took up the resolution heretofore offered by Mr. Bush, entitled

Resolution in regard to the adjournment of this General Assembly,

And the amendment proposed thereto.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

Mr. Graves offered an amendment to the amendment of Mr. Evans, viz:

Strike out the figures "12" and insert the figure "2."

Mr. Clay then moved to postpone, indefinitely, the consideration of said resolution and proposed amendments.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bush and Rowlett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary)
Wm. A. Allen,
A. S. Arnold,
G. W. Bailey,
R. Tarv. Baker,
Alpheus W. Bascom,
W. R. Bates,
George Carter,
C. M. Clay, jr.,
Wm. G. Conrad,
R. D. Cook,
R. L. Cooper,
J. E. Cosson,
James B. Fitzpatrick,
C. D. Foote,
Joseph P. Foree,
E. A. Graves,
C. P. Gray,
Clinton Griffith,
Wm. A. Hoskins,
George M. Jessee,
E. Polk Johnson,
T. M. Johnson,
T. J. Jones,
L. W. Lassing,
J. S. Lawson,
John W. Ogilvie,
Julian N. Phelps,
E. A. Robertson,
J. P. Sacksteder,
J. R. Sanders,
C. C. Scales,
William Sellers,
George M. Thomas,
Harry I. Todd,
L. W. Trafton,
J. L. Waring,
J. M. White,
F. A. Wilson,

| | | |
|---|---|---|
| W. W. Deaderick, | J. J. McAfee, | J. N. Woods, |
| John W. Dyer, | M. E. McKenzie, | S. H. Woolfolk, |
| Walter Evans, | T. J. Megibben, | J. M. Wright—50. |
| W. H. Evans, | W. A. Morin, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | John S. Carpenter, | John Rowan, |
| W. N. Beckham, | Thomas H. Corbett, | John P. Rowlett, |
| John A. Bell, | Manlius T. Flippin, | Samuel M. Sanders, |
| S. C. Bell, | Wm. Cassius Goodloe, | Wm. Tarlton, |
| J. C. S. Blackburn, | Bryan S. McClure, | J. S. Taylor, |
| Church H. Blakey, | William J. McElroy, | Joseph T. Tucker, |
| Wm. F. Bond, | J. C. Moorman, | T. W. Varnon, |
| W. B. M. Brooks, | J. L. Nall, | E. F. Waide, |
| W. W. Bush, | Mat. Nunan, | C. H. Webb, |
| Thomas P. Cardwell, | Lewis Potter, | Jonas D. Wilson—31. |
| Robert M. Carlisle, | | |

And so the same were indefinitely postponed.

Mr. Chrisman offered the following resolution, viz:

*Resolved*, That the Treasurer of this State be, and he is hereby, requested to furnish this House with the following information: If any bonds are deposited in the Treasury of this State by foreign insurance companies doing business in this State, as indemnity to policy-holders. If so, give the names of such companies, and the amount of bonds so deposited; and whether the companies making such deposit are fire or life.

Which was adopted.

Mr. Graves offered the following resolution, viz:

*Resolved*, That the Committee on Charitable Institutions be directed to inquire whether any legislation is necessary to protect the Treasury of this State from being depleted by the admission of lunatics of ample means, or who is to pay and defray their own expenses in private asylums to the exclusion of the indigent insane lunatics of this State; and if so, what legislation is necessary, and that they report by bill or otherwise, at an early day of this session.

Which was adopted.

Mr. Blakey offered the following joint resolution, which lies one day on the table, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a select committee of three members of this House and two from the Senate be appointed to visit and examine the building intended as a House of Reform, and report upon the propriety of having it converted into a lunatic asylum.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bates—

1. A bill for the benefit of Frank P. Bates, of Warren county.

On motion of same—

2. A bill for the benefit of school district No. 85, in Barren county.

On motion of Mr. Lassing—

3. A bill to authorize the Boone county court to appoint trustees for the Burlington Burying Ground, &c.

On motion of same—

4. A bill to increase the jurisdiction of magistrates and the police judge in the town of Florence.

On motion of Mr. Goodloe—

5. A bill to amend the charter of the Kentucky Association.

On motion of Mr. E. Polk Johnson—

6. A bill for the benefit of magistrates in Jefferson county.

On motion of same—

7. A bill for the protection of nurseries in this Commonwealth.

On motion of Mr. Wright—

8. A bill to amend section 646, Civil Code.

On motion of same—

9. A bill concerning the Paroquet Springs Company.

On motion of Mr. Beckham—

10. A bill to incorporate the Bardstown and Fairfield Turnpike Road Company.

On motion of same—

11. A bill to require the Librarian to furnish the Court of Appeals with stationery.

On motion of Mr. Tarlton—

12. A bill for the benefit of the Lagrange and Shelbyville Turnpike Road Company.

On motion of Mr. Deaderick—

13. A bill to incorporate the Farmers' Savings Association, of Pendleton county.

On motion of Mr. Foree—

14. A bill to incorporate the town of Harrisonville, in Shelby county.

On motion of same—

15. A bill to amend the charter of the Smithfield and Shelbyville Turnpike Road Company.

On motion of Mr. McKenzie—

16. A bill to empower the trustees of the town of Cadiz to sell a portion of town cemetery.

On motion of Mr. Dyer—

17. A bill for the benefit of Joseph Dial, of Union county.

On motion of Mr. Chrisman—

18. A bill to provide by law for an enumeration of all the qualified voters of this Commonwealth, to secure uniformity and equality of representation in this State.

On motion of Mr. Lawson—

19. A bill to change the time of holding the court of claims of Robertson county.

On motion of Mr. Bailey—

20. A bill to increase the jurisdiction of justices of the peace for Webster county.

On motion of Mr. Blackburn—

21. A bill to amend an act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.

On motion of same—

22. A bill to amend an act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

On motion of same—

23. A bill to protect the interest of the State in turnpike roads and bridges.

On motion of same—

24. A bill for the benefit of Woodford county.

On motion of Mr. Blakey—

25. A bill to authorize the trustees of the town of Russellville to appoint one or more inspectors of coal.

On motion of Mr. Gray—

26. A bill to amend the charter of the Poplar Mountain Coal Company.

On motion of Mr. F. A. Wilson—

27. A bill for the benefit of T. D. Luckett, of Lyon county.

On motion of Mr. Varnon—

28. A bill for the benefit of the Kentucky River Navigation Company.

On motion of same—

29. A bill to provide for the collection of the sums subscribed as stock in the Kentucky River Navigation Company.

On motion of same—

30. A bill recognizing the organization of the Kentucky River Navigation Company.

On motion of Mr. Allen—

31. A bill to repeal chapter 84, section 27, of the Revised Statutes.

On motion of Mr. Todd—

32. A bill for the benefit of George Craig, of Franklin county.

On motion of same—

33. A bill to create the Kentucky Protection Association.

*Ordered*, That a select committee, consisting of Messrs. Bush, T. M. Johnson, and Jessee, prepare and bring in the 1st; the Committee on Education the 2d; the Committee on Codes of Practice the 3d, 6th, and 8th; the Committee on County Courts the 4th, 19th, 20th, and 31st; the Committee on Corporate Institutions the 5th, 9th, 13th, and 26th; the Committee on the Judiciary the 7th, 14th, and 17th; the Committee on Internal Improvement the 10th, 15th, 23d, 28th, 29th, and 30th; the Committee on the Library the 11th; the Committee on Propositions and Grievances the 12th and 27th; the Committee on Religion the 16th; the Committee on Privileges and Elections the 18th; the Committee on Railroads the 21st, 22d, and 24th; the Committee on the Revised Statutes the 25th; the Committee on Claims the 32d; and the Committee on Insurance the 33d.

The House took up from the orders of the day, and proceeded still further to consider, a bill, entitled

A bill to incorporate the Constructing and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

Mr. Bascom offered amendments to said bill, which were adopted.

Mr. Foote offered the following amendment, viz:

Add in the 3d line of the 8th section, after the words "in this State," the words "and other State or country."

Pending the consideration of said amendment, the House adjourned.

## THURSDAY, FEBRUARY 22, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Goodloe—

1. The petition of the female members and others of the East Hickman Baptist Church, of Fayette county, praying the passage of an act to prohibit the sale of spirituous liquors within one and a half mile of said church.

By Mr. Carlisle—

2. The petition of the devisees of Eleanor Rice, deceased, praying that a certain sale of her lands may be legalized.

By Mr. Beckham—

3. The remonstrance of citizens of Bardstown against the passage of an act to make the office of city attorney elective.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion; the 2d to the Committee on the Judiciary; and the 3d to the Committee on Corporate Institutions.

On motion, leave of absence, indefinitely, is granted to Messrs. Bates and Bush.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to change the name of the Hopkinsville Coal, Iron, and Manufacturing Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Corporate Institutions.

On motion of Mr. McElroy,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage of a bill, which originated in the House of Representatives, of the following title, viz:

An act for the benefit of Barren county.

Said message was delivered to the Senate.

On motion of Mr. Gray, leave is given to bring in a bill to enlarge and extend the corporate limits of the town of Albany, in Clinton county.

*Ordered*, That the Committee on Corporate Institutions prepare and bring in the same.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5, 1866, and the several acts amendatory thereof;

An act to amend an act, entitled "An act for the benefit of the estate of Thos. H. Crawford," approved January 13, 1872;

An act authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3, 1871;

An act to incorporate the Lexington Building and Accumulating Fund Association;

An act to amend an act to incorporate the North Middletown Deposit Bank, approved March 15, 1869;

An act to amend an act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth, approved March 25, 1871;

An act to amend an act, entitled "An act for the benefit of common school districts in Clinton county;"

Resolutions in relation to distilleries and the tax thereon;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to enable the board of trustees of Harrodsburg to pay and discharge the indebtedness of the town,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Beckham, from a select committee—

A bill to incorporate Salt River College.

By Mr. Bush, from the Committee on the Judiciary—

A bill for the benefit of H. C. Thompson and W. T. Champion, of Livingston county.

The last without expression of opinion thereon by the committee.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Sanders, from a select committee, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to amend chapter 53 of the Revised Statutes, title 'Interest and Usury.'"

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett moved to recommit said bill to the Committee on the Revised Statutes.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Sanders, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Wm. Mynhier, |
| George W. Anderson, | John W. Dyer, | John W. Ogilvie, |
| A. C. Armstrong, | Walter Evans, | Julian N. Phelps, |
| A. S. Arnold, | W. H. Evans, | Lewis Potter, |
| R. Tarv. Baker, | M. Woods Ferguson, | W. L. Reeves, |
| John A. Bell, | James B. Fitzpatrick, | John Rowan, |
| J. C. S. Blackburn, | C. D. Foote, | C. C. Scales, |
| Wm. F. Bond, | Wm. Cassius Goodloe, | William Sellers, |

| | | |
|---|---|---|
| W. B. M. Brooks, | Wm. A. Hoskins, | George M. Thomas, |
| Robert M. Carlisle, | E. Polk Johnson, | Harry I. Todd, |
| John S. Carpenter, | T. J. Jones, | L. W. Trafton, |
| B. E. Cassilly, | L. W. Lassing, | T. W. Varnon, |
| C. M. Clay, jr., | J. S. Lawson, | E. F. Waide, |
| Wm. G. Conrad, | T. J. Megibben, | J. L. Waring, |
| R. D. Cook, | J. C. Moorman, | F. A. Wilson, |
| Thomas H. Corbett, | W. A. Morin, | J. M. Wright—49. |
| Joseph M. Davidson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Manlius T. Flippin, | Hiram S. Powell, |
| W. W. Ayers, | Joseph P. Foree, | E. A. Robertson, |
| G. W. Bailey, | E. A. Graves, | Samuel M. Sanders, |
| Alpheus W. Bascom, | C. P. Gray, | William Tarlton, |
| W. N. Beckham, | George M. Jessee, | J. S. Taylor, |
| S. C. Bell, | T. M. Johnson, | C. H. Webb, |
| Church H. Blakey, | Bryan S. McClure, | J. M. White, |
| Thomas P. Cardwell, | William J. McElroy, | Jonas D. Wilson, |
| George Carter, | M. E. McKenzie, | J. N. Woods, |
| R. L. Cooper, | J. L. Nall, | S. H. Woolfolk—31. |
| J. E. Cosson, | | |

Mr. W. Evans, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill for the benefit of Merrell Hardin,

Reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

Whereas, Merrell Hardin, of Garrard county, Kentucky, paid to John L. Slavin, sheriff of said county, on the 6th day of November, 1866, the sum of $4,084 56, being the purchase price for a tract of land sold by said sheriff under an execution from the Franklin circuit court in favor of the Commonwealth against James L. Anderson, defaulting sheriff of said county for the revenue for the year 1865; and said Slavin having paid said amount to the Auditor of Public Accounts less his commission; and whereas, the judgment upon which said execution issued has been reversed by the Court of Appeals, and decided to be absolutely void; and whereas, there are superior and bona fide liens upon said land for an amount exceeding its value, and it is but justice that said Hardin shall have the money refunded him so paid; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, empowered and directed to draw his warrant upon the Treasurer of the State for the sum of $4,084 56 in favor of said Merrell Hardin; and the Treasurer is directed to pay the same out of any funds not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Wm. Mynhier, |
| Wm. A. Allen, | John W. Dyer, | J. L. Nall, |
| George W. Anderson, | Walter Evans, | John W. Ogilvie, |
| A. C. Armstrong, | W. H. Evans, | Julian N. Phelps, |
| W. W. Ayers, | M. Woods Ferguson, | Lewis Potter, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | Hiram S. Powell, |
| John A. Bell, | Manlius T. Flippin, | W. L. Reeves, |
| S. C. Bell, | C. D. Foote, | E. A. Robertson, |
| J. C. S. Blackburn, | Joseph P. Foree, | C. C. Scales, |
| Church H. Blakey, | Wm. Cassius Goodloe, | William Sellers, |
| Wm. F. Bond, | E. A. Graves, | J. S. Taylor, |
| W. B. M Brooks, | C. P. Gray, | George M. Thomas, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | L. W. Trafton, |
| Robert M. Carlisle, | George M. Jessee, | T. W. Varnon, |
| John S. Carpenter, | E. Polk Johnson, | J. L. Waring, |
| George Carter, | T. J. Jones, | J. M. White, |
| B. E. Cassilly, | L. W. Lassing, | Mordecai Williams, |
| James S. Chrisman, | J. S. Lawson, | F. A. Wilson, |
| William G. Conrad, | Bryan S. McClure, | Jonas D. Wilson, |
| R. D. Cook, | M. E. McKenzie, | J. N. Woods, |
| R. L. Cooper, | T. J. Megibben, | S. H. Woolfolk, |
| Thomas H. Corbett, | J. C. Moorman, | J. M. Wright—68. |
| J. E. Cosson, | W. A. Morin, | |

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Reeves, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to increase the jurisdiction of justices of the peace in Logan county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett offered an amendment thereto.

Mr. Evans then moved to recommit the bill and proposed amendment to the Committee on the Revised Statutes.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Arnold, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | Lewis Potter, |
| Wm. A. Allen, | J. E. Cosson, | W. L. Reeves, |
| George W. Anderson, | W. W. Deaderick, | E. A. Robertson, |
| R. Tarv. Baker, | Walter Evans, | John P. Rowlett, |
| W. N. Beckham, | W. H. Evans, | C. C. Scales, |
| John A. Bell, | Manlius T. Flippin, | Wm. Sellers, |
| S. C. Bell, | C. D. Foote, | Wm. Tarlton, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | G. M. Thomas, |
| Wm. F. Bond, | C. P. Gray, | Harry I. Todd, |
| W. B. M. Brooks, | Clinton Griffith, | L. W. Trafton, |
| W. W. Bush, | Wm. A. Hoskins, | Joseph T. Tucker, |
| Robert M. Carlisle, | George M. Jessee, | T. W. Varnon, |
| John S. Carpenter, | E. Polk Johnson, | E. F. Waide, |
| George Carter, | William J. McElroy, | J. L. Waring, |
| B. E. Cassilly, | T. J. Megibben, | J. M. White, |
| James S. Chrisman, | W. A. Morin, | Mordecai Williams, |
| C. M. Clay, jr., | Wm. Mynhier, | F. A. Wilson, |
| Wm. G. Conrad, | J. L. Nall, | J. M. Wright—54. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | John W. Dyer, | John W. Ogilvie, |
| A. S. Arnold, | James B. Fitzpatrick, | Julian N. Phelps, |
| W. W. Ayers, | Joseph P. Foree, | John Rowan, |
| G. W. Bailey, | E. A. Graves, | Samuel M. Sanders, |
| Alpheus W. Bascom, | T. J. Jones, | J. S. Taylor, |
| Church H. Blakey, | L. W. Lassing, | C. H. Webb, |
| Thomas P. Cardwell, | J. S. Lawson, | Jonas D. Wilson, |
| Thomas H. Corbett, | M. E. McKenzie, | J. N. Woods, |
| Joseph M. Davidson, | J. C. Moorman, | S. H. Woolfolk—27. |

Mr. Reeves, from the select committee to whom was recommitted a bill, entitled

A bill to provide for voting by ballot in the election of Representatives in Congress,

Reported the same with sundry amendments thereto, which were adopted.

Mr. Clay also offered an amendment, which was adopted.

Pending the consideration of said bill, at 12 o'clock, M., Mr. Hoskins moved that the House do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and Bush, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Hiram S. Powell, |
| George W. Anderson, | M. Woods Ferguson, | W. L. Reeves, |
| A. S. Arnold, | James B. Fitzpatrick, | John Rowan, |

| | | |
|---|---|---|
| R. Tarv. Baker, | C. D. Foote, | John P. Rowlett, |
| Alpheus W. Bascom, | Joseph P. Foree, | J. R. Sanders, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| John A. Bell, | C. P. Gray, | C. C. Scales, |
| S. C. Bell, | Clinton Griffith, | Wm. Sellers, |
| Wm. F. Bond, | Wm. A. Hoskins, | Wm. Tarlton, |
| Robert M. Carlisle, | E. Polk Johnson, | J. S. Taylor, |
| John S. Carpenter, | T. M. Johnson, | George M. Thomas, |
| George Carter, | T. J. Jones, | Harry I. Todd, |
| B. E. Cassilly, | L. W. Lassing, | L. W. Trafton, |
| James S. Chrisman, | J. S. Lawson, | T. W. Varnon, |
| C. M. Clay, jr., | Wm. J. McElroy, | J. L. Waring, |
| Thomas H. Corbett, | W. A. Morin, | J. M. White, |
| J. E. Cosson, | Wm. Mynhier, | Mordecai Williams, |
| Joseph M. Davidson, | J. L. Nall, | F. A. Wilson, |
| W. W. Deaderick, | John W. Ogilvie, | Jonas D. Wilson, |
| John W. Dyer, | Julian N. Phelps, | J. N. Woods, |
| Walter Evans, | Lewis Potter, | S. H. Woolfolk—63. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Thomas P. Cardwell, | J. C. Moorman, |
| A. C. Armstrong, | Wm. G. Conrad, | E. A. Robertson, |
| W. W. Ayers, | E. A. Graves, | Joseph T. Tucker, |
| J. C. S. Blackburn, | Bryan S. McClure, | E. F. Waide, |
| Church H. Blakey, | M. E. McKenzie, | C. H. Webb, |
| W. B. M. Brooks, | T. J. Megibben, | J. M. Wright—19. |
| W. W. Bush, | | |

And then the House adjourned.

## FRIDAY, FEBRUARY 23, 1872.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House of Representatives, to a bill which originated in the Senate, entitled

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

That they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to appropriate money for the benefit of the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children.

And that they had passed bills of the following titles, viz:

1. An act to provide for the location and erection of the Third Lunatic Asylum.

2. An act to amend the charter of the city of Lexington.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Charitable Institutions, and the 2d to the Committee on the Revised Statutes.

*Ordered*, That Mr. Thomas be added to the Committees on the Revised Statutes and Printing.

On motion of Mr. Bush, Mr. Tucker was added to the Committee on the Judiciary.

On motion, leave of absence, indefinitely, was granted to Messrs. Carter, Nunan, Blakey, Baker, and McElroy.

The following remonstrances and petitions were presented, viz:

By Mr. Clay—

1. The remonstrance of citizens of Millersburg, against the passage of a prohibitory liquor law in said town.

By same—

2. The petition of citizens of Paris, praying the repeal of an act to amend the charter of the city of Paris, approved March 18, 1870.

By Mr. Robertson—

3. The petition of certain citizens of Elizaville and vicinity, praying the passage of a certain act for the benefit of the Elizaville and Elizaville Station Turnpike Road Company.

By Mr. Tarlton—

4. The petition of sundry citizens of the Westport precinct, Oldham county, praying the repeal of an act incorporating the Harrod's Creek and Westport Railway Company.

By Mr. McClure—

5. The remonstrance of certain citizens of Jamestown, Russell county, against the repeal of their town charter.

By Mr. Arnold—

6. The petition of citizens of Hickman county, praying the enactment of a law submitting to the voters of said county the question of the removal of their county seat.

By Mr. Armstrong—

7. The petition of the Agricultural Association of Mason and Bracken counties, asking the privilege of selling spirituous liquors within the limits of their jurisdiction, and the appropriation of all fines imposed to the use of said association.

By Mr. Speaker (McCreary)—

8. The petition of citizens of Glade district, Madison county, praying the passage of an act to submit to the voters of said district the question of a prohibition of the sale of ardent spirits therein.

By same—

9. The remonstrance of stockholders in the Danville and Hustonville Turnpike Road Company, against certain proposed amendments to its charter.

Which were received, the reading dispensed with, and referred—the 1st, 7th, and 8th to the Committee on Religion; the 2d and 5th to the Committee on Corporate Institutions; the 3d to the Committee on the Judiciary; the 4th to the Committee on Propositions and Grievances; the 6th to the Committee on County Courts; and the 9th to the Committee on Internal Improvement.

The House then took up for further consideration a bill, entitled

A bill to provide for voting by ballot in the election of Representatives in Congress.

Mr. Graves offered an amendment, which was adopted.

The bill was further amended on motions of Messrs. Chrisman and Reeves.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reeves, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill exempting the property now occupied by N. F. Smith, in Harrison county, for school purposes, from taxation.

Which was read the first time as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the property of N. F. Smith, in Cynthiana, Kentucky, now occupied and used by him for educational purposes, shall be, and the same is now, exempted from all taxation for State, county, and city purposes, so long as said property is so occupied and used: *Provided*, The property so exempted shall never exceed five thousand dollars. That this act shall take effect from its passage.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Graves offered the following amendment thereto, viz:

Add to 2d section: That all the property used for school purposes in this Commonwealth be exempt from taxation.

And the question being taken on the amendment proposed by Mr. Graves, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Thomas H. Corbett, | J. L. Nall, |
| G. W. Bailey, | J. E. Cosson, | Julian N. Phelps, |
| Thomas P. Cardwell, | E. A. Graves, | J. M. White, |
| B. E. Cassilly, | J. S. Lawson, | S. H. Woolfolk—13. |
| Wm. G. Conrad, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | W. A. Morin, |
| A. C. Armstrong, | W. W. Deaderick, | Wm. Mynhier, |
| A. S. Arnold, | John W. Dyer, | Lewis Potter, |
| W. N. Beckham, | Walter Evans, | Hiram S. Powell, |
| John A. Bell, | W. H. Evans, | W. L. Reeves, |
| S. C. Bell, | M. Woods Ferguson, | E. A. Robertson, |
| J. C. S. Blackburn, | Manlius T. Flippin, | John Rowan, |
| Wm. F. Bond, | C. D. Foote, | John P. Rowlett, |

| | | |
|---|---|---|
| W. B. M. Brooks, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| W. W. Bush, | C. P. Gray, | J. S. Taylor, |
| Robert M. Carlisle, | Wm. A. Hoskins, | George M. Thomas, |
| John S. Carpenter, | E. Polk Johnson, | Harry I. Todd, |
| George Carter, | T. J. Jones, | E. F. Waide, |
| James S. Chrisman, | G. W. Little, | Mordecai Williams, |
| C. M. Clay, jr., | Bryan S. McClure, | F. A. Wilson, |
| J. Guthrie Coke, | T. J. Megibben, | Jonas D. Wilson, |
| R. D. Cook, | J. C. Moorman, | J. M. Wright—51. |

Mr. Graves then moved to lay the bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Walter Evans, | Wm. J. McElroy, |
| G. W. Bailey, | W. H. Evans, | J. L. Nall, |
| S. C. Bell, | Manlius T. Flippin, | Julian N. Phelps, |
| Robert M. Carlisle, | E. A. Graves, | J. S. Taylor, |
| James S. Chrisman, | T. J. Jones, | C. H. Webb, |
| Wm. G. Conrad, | G. W. Little, | J. M. White, |
| R. D. Cook, | Bryan S. McClure, | J. N. Woods—22. |
| J. E. Cosson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | W. L. Reeves, |
| A. C. Armstrong, | W. W. Deaderick, | E. A. Robertson, |
| A. S. Arnold, | John W. Dyer, | John Rowan, |
| W. W. Ayers, | M. Woods Ferguson, | John P. Rowlett, |
| John A. Bell, | C. D. Foote, | J. P. Sacksteder, |
| J. C. S. Blackburn, | Joseph P. Foree, | C. C. Scales, |
| Wm. F. Bond, | C. P. Gray, | Wm. Tarlton, |
| W. B. M. Brooks, | Clinton Griffith, | Harry I. Todd, |
| W. W. Bush, | Wm. A. Hoskins, | L. W. Trafton, |
| Thomas P. Cardwell, | E. Polk Johnson, | E. F. Waide, |
| John S. Carpenter, | J. S. Lawson, | Mordecai Williams, |
| George Carter, | T. J. Megibben, | F. A. Wilson, |
| B. E. Cassilly, | J. C. Moorman, | Jonas D. Wilson, |
| C. M Clay, jr., | W. A. Morin, | S. H. Woolfolk, |
| J. Guthrie Coke, | Wm. Mynhier, | J. M. Wright—47. |
| R. L. Cooper, | Hiram S. Powell, | |

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. M. Clay, jr., | Hiram S. Powell, |
| A. C. Armstrong, | J. Guthrie Coke, | W. L. Reeves, |
| A. S. Arnold, | R. L. Cooper, | E. A. Robertson, |
| W. N. Beckham, | W. W. Deaderick, | John P. Rowlett, |
| J. A. Bell, | M. Woods Ferguson, | J. P. Sacksteder, |
| J. C. S. Blackburn, | C. D. Foote, | C. C. Scales, |
| Wm. F. Bond, | Wm. A. Hoskins, | Harry I. Todd, |
| W. B. M. Brooks, | E. Polk Johnson, | L. W. Trafton, |
| W. W. Bush, | J. S. Lawson, | E. F. Waide, |
| Thomas P. Cardwell, | T. J. Megibben, | J. L. Waring, |
| John S. Carpenter, | W. A. Morin, | Mordecai Williams, |
| George Carter, | Wm. Mynhier, | F. A. Wilson—38. |
| B. E. Cassilly, | Lewis Potter, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. H. Evans, | J. L. Nall, |
| G. W. Bailey, | Manlius T. Flippin, | Julian N. Phelps, |
| S. C. Bell, | Wm. Cassius Goodloe, | John Rowan, |
| Robert M. Carlisle, | E. A. Graves, | J. S. Taylor, |
| James S. Chrisman, | C. P. Gray, | George M. Thomas, |
| William G. Conrad, | T. J. Jones, | J. M. White, |
| R. D. Cook, | L. W. Lassing, | Jonas D. Wilson, |
| Thomas H. Corbett, | G. W. Little, | J. N. Woods, |
| J. E. Cosson, | Bryan S. McClure, | S. H. Woolfolk, |
| John W. Dyer, | W. J. McElroy, | J. M. Wright—32. |
| Walter Evans, | J. C. Moorman, | |

*Resolved*, That the title of said bill be as aforesaid.

Bills were reported by the committee who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Reeves, from the Committee on the Judiciary—

A bill regulating sales by auction in the towns and cities of this Commonwealth.

By Mr. Coke, from the same committee—

A bill concerning the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receivers of the Louisville chancery court.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Mr. Wright offered an amendment to the last named bill.

*Ordered*, That said bills and amendment be printed, and placed in the orders of the day.

On motion of Mr. Ferguson, leave is given to bring in a bill to incorporate the Boone Bridge Company.

*Ordered*, That the Committee on Corporate Institutions prepare and bring in the same.

Mr. Reeves, from the Committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

An act to change and regulate the time of holding the circuit courts in the first judicial district;

An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off the public roads;

Reported the same with amendments to each (the amendment to the last as a substitute), which were adopted.

*Ordered*, That said bills, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Reeves, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act requiring certain sales and warning orders to be published in a newspaper published in the county of Shelby,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

The Speaker laid before the House the following communication, viz:

OFFICE OF THE WOMAN'S JOURNAL, No. 3 TREMONT PLACE,
BOSTON, February 14, 1872.

*To the Speaker of the House of Representatives of Kentucky:*

DEAR SIR: Will you please have the inclosed memorial of the American Woman Suffrage Association presented in the body over whom you preside. If it can be offered by some member who is in favor of woman suffrage, and who will urge its reference to a joint special committee on suffrage, so much the better.

Hoping that Kentucky will treat this great political reform in a spirit of chivalrous courtesy and enlightened liberality, I remain

Yours respectfully,

LUCY STONE,
*President American Woman Suffrage Association.*

MEMORIAL.

*To the Senate and House of Representatives of the State of Kentucky:*

The American Woman Suffrage Association respectfully represents:

That whereas, the 1st section of 2d article of the Constitution of the United States expressly provides that "each State shall appoint, in such manner as the Legislature thereof may direct, the electors for President and Vice President;"

And whereas, women are now unjustly excluded from any participation in the election of these highest officers of the nation;

We therefore respectfully pray your honorable bodies that you will exercise the authority thus vested in you by the Federal Constitution, and enact a law conferring suffrage upon women who are citizens of the United States, and of the State of Kentucky, in the approaching Presidential election, upon the same terms and conditions as men.

And we further respectfully represent:

That whereas, the Constitution of the State of Kentucky contains no restriction upon the exercise of suffrage by women in regard to the election of certain State, county, town, and municipal officers; we therefore respectfully pray that you will enact a law abolishing all political distinctions on account of sex, except where the same are expressly contained in the present Constitution of your State.

And we further respectfully represent:

That whereas, the Constitution of the State of Kentucky restricts suffrage for certain officers to men alone, therefore we respectfully pray your honorable bodies to take the necessary steps to amend the State Constitution so as to abolish hereafter all political distinctions on account of sex.

This memorial is presented in accordance with the resolutions adopted at the annual meeting of said American Woman Suffrage Association, held in Philadelphia on the 22d day of November, A. D. 1871, at which were present delegates from auxiliary societies in twenty-two States.

LUCY STONE, *President.*
JULIA WARD HOWE, *Ch'n Ex. Com.*
MARY GREW, *Cor. Sec.*
HENRY B. BLACKWELL, *Rec. Sec.*

The officers of the American Woman Suffrage Association are as follows:

*President.*

LUCY STONE.

*Vice Presidents at Large.*

T. W. HIGGINSON, Rhode Island.
WM. LLOYD GARRISON, Massachusetts.
MRS. W. T. HAZARD, Missouri.
HANNAH M. T. CUTLER, Illinois.
MARY. A. LIVERMORE, Massachusetts.
GEO. W. JULIAN, Indiana.
GEORGE WILLIAM CURTIS, New York.
MARGARET V. LONGLEY, Ohio.

*Chairman Executive Committee.*

JULIA WARD HOWE, Massachusetts.

*Foreign Corresponding Secretary.*

KATE N. DOGGETT, Illinois.

*Corresponding Secretary.*

MARY GREW, Pennsylvania.

*Recording Secretaries.*

HENRY B. BLACKWELL, Massachusetts.
AMANDA WAY, Indiana.

*Treasurer.*

JOHN K. WILDMAN, Pennsylvania.

*Vice Presidents.*

MRS. OLIVER DENNETT, Maine.
ROWLAND CONNOR, Wisconsin.
ARMENIA S. WHITE, New Hampshire.
MOSES COIT TYLER, Michigan.
HON. C. W. WILLARD, Vermont.
MRS. A. KNIGHT, Minnesota.
JAS. FREEMAN CLARKE, Massachusetts.
A. K. P. SAFFORD, Arizona.
ELIZABETH B. CHACE, Rhode Island.
MRS. C. I. H. NICHOLS, Kansas.
CELIA BURLEIGH, Connecticut.
AMELIA BLOOMER, Iowa.
OLIVER JOHNSON, New York.
ISAAC H. STURGEON, Missouri.
JOHN WHITEHEAD, New Jersey.
HON. GUY W. WINES, Tennessee.
HON. R. LEIGHTON, Washington Ter.
SETH ROGERS, Florida.
PASSMORE WILLIAMSON, Pennsylvania.
GEN. RUFUS SAXTON, Oregon.
ELIZABETH SMITH, Delaware.
REV. CHARLES G. AMES, California.
MIRIAM M. COLE, Ohio.
HON. J. C. UNDERWOOD, Virginia.
MARY F. THOMAS, Indiana.
SARAH JANE LIPPINCOTT, D. C.
JANE G. SWISSHELM, Illinois.

*Executive Committee.*

MRS. T. B. HUSSY, Maine.
MRS. FRANK LELAND, Wisconsin.
HON. NATHANIEL WHITE, N. H.
J. A. B. STONE, Michigan.
ALBERT CLARKE, Vermont.
ABBY J. SPAULDING, Minnesota.
MARGARET W. CAMPBELL, Mass.
JOHN RITCHIE, Kansas.
MARY F. DOYLE, Rhode Island.
BELLE MANSFIELD, Iowa.
REV. PHEBE HANAFORD, Connecticut.
MRS. BEVERLY ALLEN, Missouri.
ANNA C. FIELD, New York.
REV. CHAS. J. WOODBURY, Tennessee.
REV. OSCAR CLUTE, New Jersey.
MARIANA STANTON, Florida.
MRS. E. E. L. FORBES, Delaware.
MARY E. AMES, California.
REBECCA A. S. JANNEY, Ohio.
HON. A. M. FRETZ, Virginia.
ELLEN FERGUSON, M. D., Indiana.
REV. FREDERICK HINCKLEY, D. C.
MYRA BRADWELL, Illinois.

*Ordered*, That said communication, and memorial accompanying same, be referred to a select committee, consisting of Messrs. Griffith, Varnon, Foote, Graves, Lawson, and Rowlett.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Reeves, from the Committee on the Judiciary—

A bill to authorize the clerk of the Todd county court to make a cross-index to all the deeds in his office.

By same—

A bill to protect the owners of land, and to prevent certain trespasses in Logan and Todd counties.

By same—

A bill to prohibit the sale of ardent spirits in the first and fifth magisterial districts in Todd county.

By same—

A bill to authorize J. D. Cumbie to change the direction of the State road running through his lands in Todd county.

By same—

A bill to provide for the submission to the voters of Ballard county the question of the annexation of a portion of Ballard to Hickman county.

By same—

A bill to permit Nelson Bridges to peddle without license.

By Mr. Robertson, from the Committee on Religion—

A bill to regulate the sale of liquors in Marion county.

By same—

A bill to prohibit the sale of liquor in Letcher county.

By same—

A bill to prevent the sale of spirituous liquors in Warren county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Robertson, from the Committee on Religion, who were directed to prepare and bring in the same, reported

A bill prohibiting the sale of spirituous liquors in Garrard county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

The House then proceeded to the orders of the day, and took up for further consideration

A bill to incorporate the Constructing and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

The amendment offered by Mr. Foote was then adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the amendments proposed by the Senate, to bills which orignated in this House, of the following titles, viz:

An act to incorporate the Caseyville Deposit Bank, of Union county.

An act to incorporate the Smith's Grove Deposit Bank.

An act for the appointment of official reporters and for the preservation of evidence in certain cases in Jefferson county.

Said amendments were concurred in.

On motion of Mr. Waring, the bill now pending, entitled

A bill to alter and amend the provisions applicable to Mutual Fire Insurance Companies, contained in an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12, 1871,

Was recommitted to the Committee on Insurance.

The House then took up a preamble and joint resolution from the Senate, entitled

Resolution on the death of Daniel Clark, Ancient Governor.

Said preamble and joint resolution were read as follows, viz:

WHEREAS, Information has reached this General Assembly of the death of Daniel Clark, of color, generally known to the habitues of Frankfort, as well as to the thousands who have had occasion to visit the Gubernatorial Mansion during the past quarter of a century, as the "Ancient Governor;" and whereas, it is a well-defined prin-

ciple of moral ethics, that there is no characteristic of humanity so deserving of both public and private recognition as fidelity to duty, no matter by whom performed; and whereas, the said deceased body-servant of so many, mostly dead and gone, Governors of this Commonwealth, gave in his lifetime a notable example to all men, white and black, of industry, sobriety, courtesy according to his station, and integrity in office; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That this General Assembly is duly impressed with the propriety of officially acknowledging its regard for the memory of the deceased "Ancient Governor," and that, in order to carry out this, its sense of what is decorous and right, the Clerks of both Houses of the Legislature are hereby directed to spread upon their respective Journals the above preamble and its accompanying resolution.

Which being again read, were unanimously adopted.

The House then took up, and proceeded still further to consider, a bill, entitled

A bill for the benefit of Sanford Goin, of Franklin county.

The amendment offered by Mr. Flippin was then rejected.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasury in favor of Sanford Goin, of Franklin county, for seven hundred and ten dollars and forty-seven cents, for ice furnished for State officers, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, it not having received a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | J. L. Nall, |
| A. C. Armstrong, | Walter Evans, | John P. Rowlett, |
| W. N. Beckham, | M. Woods Ferguson, | J. P. Sacksteder, |
| John A. Bell, | C. D. Foote, | C. C. Scales, |
| J. C. S. Blackburn, | Joseph P. Foree, | Wm. Tarlton, |
| Wm. F. Bond, | Wm. Cassius Goodloe, | Harry I. Todd, |
| W. W. Bush, | Clinton Griffith, | L. W. Trafton, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | T. W. Varnon, |
| John S. Carpenter, | E. Polk Johnson, | E. F. Waide, |
| B. E. Cassilly, | L. W. Lassing, | J. L. Waring, |
| C. M. Clay, jr., | J. S. Lawson, | Mordecai Williams, |
| J. Guthrie Coke, | T. J. Megibben, | J. N. Woods, |

R. L. Cooper, W. A. Morin, J. M. Wright—40.
W. W. Deaderick,

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | E A. Graves, | Hiram S. Powell, |
| A. S. Arnold, | C. P. Gray, | W. L. Reeves, |
| S. C. Bell, | T. J. Jones, | E. A. Robertson, |
| W. B. M. Brooks, | G. W. Little, | John Rowan, |
| Robert M. Carlisle, | Bryan S. McClure, | J. S. Taylor, |
| George Carter, | William J. McElroy, | G. M. Thomas, |
| James S. Chrisman, | J. C. Moorman, | C. H. Webb, |
| Wm. G. Conrad, | Wm. Mynhier, | J. M. White, |
| R. D. Cook, | John W. Ogilvie, | F. A. Wilson, |
| Thomas H. Corbett, | Julian N. Phelps, | Jonas D. Wilson, |
| J. E. Cosson, | Lewis Potter, | S. H. Woolfolk—34. |
| W. H. Evans, | | |

Mr. Arnold then moved to reconsider the vote by which said bill was rejected.

Mr. Deaderick, from the Committee on Enrollments, reported that they had examined an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

The Speaker laid before the House the following response of the Treasurer to a resolution of this House, viz:

STATE OF KENTUCKY, TREASURY DEPARTMENT,
FRANKFORT, February 23, 1872.

HON. JAMES B. MCCREARY, *Speaker House of Representatives:*

DEAR SIR: In compliance with a resolution adopted by the honorable body over which you preside on the 21st inst., which is as follows, to-wit:

*Resolved*, That the Treasurer of this State be, and is hereby, requested to furnish this House with the following information: If any bonds are deposited in the Treasury of the State by foreign insurance companies doing business in this State, as indemnity to policyholders. If so, give the names of such companies, and the amount of bonds so deposited; and whether the companies making such deposits are fire or life.

I most respectfully state, that, under the provisions of an act approved March 12, 1870, entitled "An act for the incorporation and regulation of life insurance companies," the Piedmont and Arlington

Life Insurance Company, of Richmond, Virginia, has deposited with me, as Treasurer, twelve (12) bonds of the Louisville, Lexington, and Frankfort Railroad Companies (Cincinnati Branch), of the value of one thousand ($1,000) each—with coupons attached—bearing seven per cent., per annum interest payable semi-annually on the 1st of January and July in each year; and the Southern Mutual Life Insurance Company, of Louisville, Kentucky, and the Mississippi Valley Life Insurance Company, of Louisville, Kentucky, have each also deposited with me mortgages upon real estate of the value of one hundred thousand dollars ($100,000).

These constitute all the securities held by me, as Treasurer, for life insurance companies, either foreign or home.

I would further add, that there are no securities deposited with me for fire insurance companies.

I am, very truly,

Your obedient servant,

JAMES W. TATE, *Treasurer.*

*Ordered*, That said response be referred to the Committee on Retrenchment and Reform.

Mr. Chrisman offered the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer of this State in favor of B. E. Woodworth, for the full pay of a member of this House, from the meeting of the General Assembly up to the day of his rejection as a contestant of the seat of T. J. Walker, from the county of Lewis.

The rule being suspended, said resolution was taken up and twice read.

The question was then taken on the adoption of said resolution, and the same not having received a constitutional majority, it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | John W. Ogilvie, |
| A. C. Armstrong, | C. D. Foote, | Lewis Potter, |
| W. N. Beckham, | Wm. Cassius Goodloe, | W. L. Reeves, |
| John A. Bell, | E. A. Graves, | E. A. Robertson, |
| J. C. S. Blackburn, | Clinton Griffith, | J. R. Sanders, |
| W. B. M. Brooks, | Wm. A. Hoskins, | Harry I. Todd, |
| John S. Carpenter, | E. Polk Johnson, | L. W. Trafton, |
| George Carter, | L. W. Lassing, | T. W. Varnon, |

| | | |
|---|---|---|
| B. E. Cassilly, | J. S. Lawson, | E. F. Waide, |
| James S. Chrisman, | T. J. Megibben, | J. L. Waring, |
| C. M. Clay, jr., | J. C. Moorman, | C. H. Webb, |
| J. Guthrie Coke, | W. A. Morin, | Mordecai Williams, |
| R. L. Cooper, | Wm. Mynhier, | F. A. Wilson, |
| W. W. Deaderick, | J. L. Nall, | S. H. Woolfolk—42. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | J. E. Cosson, | John Rowan, |
| A. S. Arnold, | John W. Dyer, | John P. Rowlett, |
| S. C. Bell, | Walter Evans, | C. C. Scales, |
| Wm. F. Bond, | W. H. Evans, | J. S. Taylor, |
| Thomas P. Cardwell, | T. J. Jones, | George M. Thomas, |
| Robert M. Carlisle, | G. W. Little, | J. M. White, |
| Wm. G. Conrad, | Bryan S. McClure, | Jonas D. Wilson, |
| R. D. Cook, | Julian N. Phelps, | J. M. Wright—26. |
| Thomas H. Corbett, | Hiram S. Powell, | |

Mr. Scales moved to reconsider the vote by which said resolution was rejected.

And then the House adjourned.

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## SATURDAY, FEBRUARY 24, 1872.

The following petitions and remonstrances were presented, viz:

By Mr. Corbett—

1. The petition of sundry citizens of Ballard county, praying the passage of an act to allow John Harrison to peddle in said county without license.

By Mr. Waring—

2. The petition of citizens of Greenupsburg, praying the passage of an act to change the name of said town to Greenup.

By Mr. F. A. Wilson—

3. The petition of citizens of the town of Parkersville and vicinity, praying for the repeal of an act prohibiting the sale of ardent spirits within one mile of said town.

By Mr. Speaker (McCreary)—

4. The petition of citizens of Berea, Madison county, praying for an act of incorporation.

By Mr. Hoskins—

5. The petition of sundry citizens of Jamestown, Russell county, praying the repeal of their town charter.

By Mr. Gray—

6. A remonstrance against the repeal of said charter.

By Mr. Beckham—

7. The remonstrance of citizens of Bloomfield, Nelson county, against the passage of a law imposing additional taxation upon them in aid of the Cumberland and Ohio Railroad.

By Mr. Foote—

8. The petition of the trustees of West Covington, in relation to the Covington and Dry Creek Turnpike Road Company.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Revised Statutes; the 2d to a select committee, consisting of Messrs. Waring, Chrisman, and Beckham; the 3d to the Committee on Propositions and Grievances; the 4th, 5th, and 6th to the Committee on Corporate Institutions; the 7th to the Committee on Railroads; and the 8th to the Committee on County Courts.

On motion, leave of absence, indefinitely, was granted to Messrs. Scales, Webb, Sellers, Flippin, J. D. Wilson, and Nall.

Mr. Corbett moved to reconsider the vote by which, on yesterday, the House passed a bill, entitled

An act to provide for the submission to the voters of Ballard county the question of th e annexation of a portion of Ballard to Hickman county.

On motion of Mr. W. Evans, he was discharged from further service on the Committee on Retrenchment and Reform; and thereupon the Speaker added Mr. Little to said committee in the place of Mr. Evans.

Mr. Chrisman offered the following resolution, viz:

*Resolved*, That the Committee on the Rules of this House be instructed to inquire into the propriety of so amending the rules of the same as to create separate committees on each one of the charitable institutions of the State, including the House of Reform, and report to this House.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Corbett—

1. A bill for the benefit of A. S. Arnold.

On motion of Mr. Armstrong—

2. A bill to prevent the manufacture or sale of adulterated wine in this Commonwealth.

On motion of Mr. F. A. Wilson—

3. A bill to empower the judge of the Lyon county court to establish an additional voting place in district No. 3, in said county.

On motion of Mr. J. R. Sanders—

4. A bill to authorize the formation of corporations for manufacturing, mining, transporting, mechanical, or chemical purposes, in Carroll county.

On motion of Mr. McClure—

5. A bill to repeal the Jamestown charter.

On motion of Mr. Todd—

6. A bill to amend the charter of the city of Frankfort.

On motion of Mr. Waring—

7. A bill to change the name of the town of Greenupsburg to Greenup.

On motion of Mr. Arnold—

8. A bill to amend an act approved December 20th, 1871, in regard to the common pleas court in Hickman county.

On motion of same—

9. A bill to regulate the fees of administrators.

On motion of same—

10. A bill for the benefit of insured policy-holders in this Commonwealth.

On motion of same—

11. A bill for the benefit of J. C. Evans.

On motion of Mr. E. Polk Johnson—

12. A bill providing for the payment of costs on appeals from justices' courts.

On motion of same—

13. A bill for the benefit of common schools in Jefferson county.

On motion of Mr. Thomas—

14. A bill to amend chapter 30, section 1, of the Revised Statutes, title "Descent and Distribution."

On motion of same—

15. A bill to amend article 3, chapter 47, of the Revised Statutes.

On motion of same—

16. A bill for the benefit of the trustees of Joseph A. Sparks.

On motion of same—

17. A bill regulating the collection of the turnpike tax in Lewis county.

On motion of same—

18. A bill for the benefit of Lewis Plummer.

On motion of same—

19. A bill for the benefit of Samuel Ellis.

On motion of Mr. Ferguson—

20. A bill to incorporate the Louisville Iron and Steel Rail Company.

On motion of Mr. Wright—

21. A bill to amend an act to incorporate the Traders' Bank, approved February 13th, 1867.

On motion of Mr. Sacksteder—

22. A bill for the benefit of citizens of Kentucky of African descent, and their children.

On motion of Mr. Carpenter—

23. A bill to amend the charter of the German Insurance Company, of Louisville

On motion of Mr. Speaker (McCreary)—

24. A bill to amend the charter of the town of Richmond.

On motion of same—

25. A bill to incorporate the Kingston and Boone's Gap Turnpike Road Company.

On motion of Mr. Woolfolk—

26. A bill to charter the Providence and Clarksville Railroad Company.

On motion of Mr. Foote—

27. A bill to provide for the appointment of additional constables for the city of Covington.

On motion of Mr. Ogilvie—

28. A bill for the benefit of the mechanics of this Commonwealth.

On motion of Mr. Beckham—

29. A bill to restrict the freedom of speech in the House of Representatives.

On motion of Mr. Lawson—

30. A bill to incorporate the Carlisle Male and Female Institute.

On motion of same—

31. A bill to regulate the tolls on the Lower Blue Lick Licking River Wire Bridge.

On motion of Mr. Tarlton—

32. A bill to amend the charter of the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

On motion of Mr. Dyer—

33. A bill to amend the charter of the town of Caseyville.

On motion of Mr. Little—

34. A bill for the benefit of H. S. Powell.

On motion of same—

35. A bill to provide for the payment of certain military claims audited and reported by the Quarter-Master General of this Commonwealth.

On motion of same—

36. A bill to amend an act to exempt homesteads from sale for debt, approved February 10th, 1866.

On motion of same—

37. A bill for the benefit of John H. Pemberton.

On motion of same—

38. A bill to amend the law in relation to the selection and payment of jail guards in this Commonwealth.

On motion of Mr. Griffith—

39. A bill to regulate trials and appeals in certain cases of contested elections.

On motion of same—

40. A bill to amend article 2, chapter 78, of the Revised Statutes.

On motion of Mr. Clay—

41. A bill to repeal an act to amend the charter of the city of Paris, approved March 18, 1870.

*Ordered*, That the Committee on County Courts prepare and bring in the 1st, 3d, 27th, and 34th; the Committee on Propositions and Grievances the 2d; the Committee on Corporate Institutions the 4th, 5th, 6th, 20th, 24th, 32d, 33d, and 41st; the Committee on the Revised Statutes the 9th, 14th, 15th, 16th, 17th, 18th, 19th, 28th, 38th, 39th, and 40th; the Committee on Insurance the 10th and 23d; the Committee on Ways and Means the 11th; the Committee on Codes of Practice the 12th and 36th; the Committee on Education the 13th; the Committee on Banks the 21st; the Committee on Charitable Institutions the 22d and 37th; the Committee on Internal Improvement the 25th; the Committee on Railroads the 26th; the Committee on Retrenchment and Reform the 29th; the Committee on the Judiciary the 30th and 31st; the Committee on Military Affairs the 35th; a select com-

mittee, consisting of Messrs. Beckham, Chrisman, and Waring, the 7th; and a select committee, consisting of Messrs. Corbett, Ogilvie, and Arnold, the 8th.

On motion of Mr. Varnon, the rule requiring a leave to be obtained for the introduction of a bill, and its reference to a committee, was suspended, and he was allowed to introduce a bill, entitled

A bill to change the name of Grant county to that of McManama.

Which was read the first time.

Said bill was then referred to the Committee on Privileges and Elections.

Mr. Graves offered the following preamble and resolution, viz:

Whereas, Near, or quite, one fourth of the members of this House are generally absent on leave; and whereas, it is believed the best interest of this Commonwealth requires that this Legislature should adjourn at an early day; therefore, be it

*Resolved*, That from and after Wednesday next, the 28th inst., no leaves for new bills shall be received, except by consent of the House; and that from and after that day the call of the counties shall cease.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Ayers, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Bryan S. McClure, | John Rowan, |
| W. W. Ayers, | W. A. Morin, | Samuel M. Sanders, |
| S. C. Bell, | J. L. Nall, | J. S. Taylor, |
| Thomas H. Corbett, | John W. Ogilvie, | E. F. Waide, |
| Wm. Cassius Goodloe, | Lewis Potter, | F. A. Wilson—16. |
| E. A. Graves, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Hiram S. Powell, |
| A. C. Armstrong, | James B. Fitzpatrick, | W. L. Reeves, |
| A. S. Arnold, | C. D. Foote, | E. A. Robertson, |
| G. W. Bailey, | Joseph P. Foree, | John P. Rowlett, |
| W. N. Beckham, | C. P. Gray, | J. P. Sacksteder, |
| John A. Bell, | Wm. A. Hoskins, | J. R. Sanders, |
| Thomas P. Cardwell, | E. Polk Johnson, | James W. Snyder, |
| Robert M. Carlisle, | T. M. Johnson, | Wm. Tarlton, |
| John S. Carpenter, | T. J. Jones, | George M. Thomas, |
| James S. Chrisman, | L. W. Lassing, | Harry I. Todd, |
| Wm. G. Conrad, | J. S. Lawson, | T. W. Varnon, |
| R. D. Cook, | G. W. Little, | J. L. Waring, |
| R. L. Cooper, | T. J. Megibben, | J. M. White, |
| J. E. Cosson, | J. C. Moorman, | Mordecai Williams, |

W. W. Deaderick, Wm. Mynhier, S. H. Woolfolk,
John W. Dyer, Julian N. Phelps, J. M. Wright—49.
Walter Evans,

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to enable the board of trustees of Harrodsburg to pay and discharge the indebtedness of the town.

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Caseyville Deposit Bank, of Union county;

An act to incorporate the Smith's Grove Deposit Bank;

An act to appropriate money for the benefit of the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Mr. Wright, from the Committee on Revised Statutes, who originated the same, reported

A bill to amend an act, entitled "An act to incorporate the Grand Central Industrial Exposition," approved February 16, 1872.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Cornwall Candle Factory, of Louisville.

An act for the benefit of Benj. Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county.

An act for the benefit of the sureties of J. C. Calhoon, late sheriff of McCracken county.

Resolution directing distribution of Owen's Geological Survey.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Waring, from a select committee—

A bill to change the name of Greenupsburg to Greenup.

By Mr. Ayers, from the Committee on Religion.

A bill to amend an act in relation to the sale of spirituous liquors in Letcher county, approved March 21, 1870.

By same—

A bill relating to the sale of ardent spirits in Carter county.

By same—

A bill to prevent the sale of spirituous liquors at retail in the Peak's Mill voting precinct, in Franklin county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Griffith, from a select committee—

A bill to lay off the State into ten Congressional Districts.

By Mr. Ayers, from the Committee on Religion—

A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be printed, and that the first named be made the special order of the day for Thursday, 29th instant, at 11 o'clock, A. M.

The House then took up from the orders of the day an unfinished order of yesterday, viz:

A bill prohibiting the sale of spirituous liquors in Garrard county.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Ayers, from the Committee on Religion, to whom was referred a bill from the Senate, entitled

An act authorizing the trustees of the Baptist Church of East Fork, in Henry county, to sell the church property and reinvest the proceeds,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Ayers, from the Committee on Religion, who were directed to to prepare and bring in the same, reported

A bill to prohibit the sale, giving, or furnishing intoxicating liquors on election days.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. W. Evans offered an amendment thereto.

Said bill was then placed in the orders of the day.

Mr. Powell, from the Committee on Religion, to whom was referred a bill from the Senate, entitled

An act to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport election precinct,

Reported the same with an amendment, which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the amendments proposed by the Senate, to a bill which originated in this House, entitled

An act to incorporate the town of Montgomery, in Trigg county.

Said amendments were concurred in.

At fifteen minutes past 12 o'clock, P. M., Mr. Reeves moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Waide and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | W. W. Deaderick, | John W. Ogilvie, |
| A. S. Arnold, | M. Woods Ferguson, | Hiram S. Powell, |
| John S. Carpenter, | James B. Fitzpatrick, | W. L. Reeves, |
| C. M. Clay, jr., | C. D. Foote, | J. P. Sacksteder, |
| R. D. Cook, | Wm. Cassius Goodloe, | J. R. Sanders, |
| R. L. Cooper, | Wm. A. Hoskins, | J. L. Waring, |
| Thomas H. Corbett, | George M. Jessee, | S. H. Woolfolk—22. |
| J. E. Cosson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Clinton Griffith, | John Rowan, |
| Wm. A. Allen, | T. M. Johnson, | John P. Rowlett, |
| W. W. Ayers, | T. J. Jones, | Samuel M. Sanders, |
| G. W. Bailey, | L. W. Lassing, | J. S. Taylor, |
| John A. Bell, | J. S. Lawson, | George M. Thomas, |
| S. C. Bell, | G. W. Little, | Harry I. Todd, |
| Thomas P. Cardwell, | Bryan S. McClure, | T. W. Varnon, |
| Robert M. Carlisle, | T. J. Megibben, | E. F. Waide, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| Wm. G. Conrad, | W. A. Morin, | Mordecai Williams, |
| Walter Evans, | Wm. Mynhier, | F. A. Wilson, |
| W. H. Evans, | Julian N. Phelps, | J. N. Woods, |
| E. A. Graves, | Lewis Potter, | J. M. Wright—41. |
| C. P. Gray, | E. A. Robertson, | |

The House then took up the preamble and joint resolution heretofore offered by Mr. Foote, entitled

Resolution concerning State Library.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Foote, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | E. A. Robertson, |
| Wm. A. Allen, | James B. Fitzpatrick, | John Rowan, |

| | | |
|---|---|---|
| A. C. Armstrong, | C. D. Foote, | John P. Rowlett, |
| A. S. Arnold, | E. A. Graves, | J. P. Sacksteder, |
| W. W. Ayers, | Clinton Griffith, | J. R. Sanders, |
| G. W. Bailey, | Wm. A. Hoskins, | Samuel M. Sanders, |
| W. N. Beckham, | T. M. Johnson, | James W. Snyder, |
| John A. Bell, | L. W. Lassing, | J. S. Taylor, |
| S. C. Bell, | J. S. Lawson, | George M. Thomas, |
| Thomas P. Cardwell, | Bryan S. McClure, | Harry I. Todd, |
| Robert M. Carlisle, | T. J. Megibben, | T. W. Varnon, |
| John S. Carpenter, | J. C. Moorman, | E. F. Waide, |
| James S. Chrisman, | W. A. Morin, | J. L. Waring, |
| C. M. Clay, jr., | Wm. Mynhier, | J. M. White, |
| Wm. G. Conrad, | John W. Ogilvie, | Mordecai Williams, |
| R. L. Cooper, | Julian N. Phelps, | F. A. Wilson, |
| Thomas H. Corbett, | Lewis Potter, | J. N. Woods, |
| J. E. Cosson, | Hiram S. Powell, | J. M. Wright—55. |
| W. W. Deaderick, | | |

Those who voted in the negative, were—

R. D. Cook, G. W. Little—2.

A message was received from the Senate, announcing that they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Lawrenceburg.

An act to incorporate the Christian County Bank.

An act to amend the charter of the Lexington Library.

An act for the benefit of Montgomery Lodge, No. 23, of Free and Accepted Masons.

An act to amend an act, entitled "An act to incorporate the Mt. Sterling and Spencer Creek Turnpike Road Company," approved May 24, 1861.

An act for the benefit of Solomon Tingle, of Henry county.

An act for the benefit of Henry county.

An act for the benefit of the heirs of R. M. Biggs, deceased.

An act to amend the 1st section of an act, entitled "An act to prevent the destruction of fish in Clover creek, in Breckinridge county."

An act for the benefit of Wm. Cummins and his sureties.

An act for the benefit of the securities of Robert Hamilton, late sheriff of Perry county.

An act to pay Bullitt county for keeping pauper lunatics.

An act for the benefit of Henry G. Black, of Ballard county.

An act for the benefit of certain turnpike roads in Bath county.

An act to amend the charter of the Alexandria and Flagg Spring Turnpike Road Company.

An act to amend section 20, of article 1, of chapter 91, of the Revised Statutes.

An act to change the time of holding court of claims in Graves county.

An act to amend an act, entitled "An act exempting salt wagons from paying toll on the Wilderness Turnpike Road, in Knox and Josh Bell counties."

With an amendment (as a substitute) for the last named bill.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Mrs. Rebecca C. Hill, of Barlow City, in Ballard county.

An act for the benefit of George W. McClure, coroner of Rockcastle county.

An act to amend section 101 of the Criminal Code of Practice.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Market Bank, of Louisville.

2. An act to incorporate the trustees of the Washington Scientific School, in Mason county.

3. An act for the benefit of Sulphur Well school district, in Jessamine county.

4. An act for the benefit of school district No. 35, in Owen county.

5. An act to incorporate the Catnip Hill Turnpike Road Company, in Jessamine county.

6. An act to incorporate the Smithfield and Pendleton Turnpike or Gravel Road Company.

7. An act to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company.

8. An act to incorporate the Mattingly Coal Company.

9. An act to extend the time of collecting the fee bills of E H. Logan, late clerk of the Rowan county and circuit courts.

10. An act to increase the jurisdiction of the police court of the town of Ashland, and of the town of Morehead.

11. An act for the benefit of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

12. An act to repeal an act, entitled "An act for the benefit of the common school district No. 8, in Lewis county," approved January 10, 1872.

13. An act to exempt the wages of laborers who are bona fide housekeepers of this Commonwealth, with a family, from attachment or garnishee, not exceeding fifty dollars.

14. An act to amend the criminal laws of this Commonwealth.

15. An act for the benefit of the Female Seminary of the city of Paducah.

16. An act for the benefit of the University of the city of Paducah.

17. An act to amend an act to incorporate the town of Smith's Grove.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Banks; the 2d, 3d, 4th, 12th, 15th, and 16th to the Committee on Education; the 5th, 6th, and 7th to the Committee on Internal Improvement; the 8th and 17th to the Committee on Corporate Institutions; the 9th to the Committee on Circuit Courts; the 10th and 14th to the Committee on the Judiciary; the 11th to the Committee on Railroads; and the 13th to the Committee on Revised Statutes.

And then the House adjourned.

## MONDAY, FEBRUARY 26, 1872.

The following petitions were presented, viz:

By Mr. Cardwell—

1. The petition of sundry citizens of Breathitt county, asking the passage of an act declaring certain streams navigable therein.

By Mr. Snyder—

2. The petition of certain citizens of Lewisport precinct, in Hancock county, praying the passage of a law to suppress the issuing of a license to sell liquors and beer therein in less quantity than a quart.

By Mr. T. M. Johnson—

3. The petition of divers citizens of Saloma precinct, in Taylor county, praying for an increase of the jurisdiction of the police judge and marshal of said precinct.

By Mr. Megibben—

4. The petition of citizens of Harrison county, praying the passage of a law requiring persons to fence their own stock, and making them responsible for damages by running at large.

By Mr. Arnold—

5. The petition of certain citizens of Hickman county, praying the passage of an act providing for a removal of the county seat of said county by the voters of said county.

By Mr. J. R. Sanders—

6. The petition of citizens of Carroll and Trimble counties, praying an amendment of the charter of the New Castle and Carrollton Turnpike Road Company, prohibiting the collection of toll thereon until four miles of said road are completed.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Ways and Means; the 2d to the Committee on Religion; the 3d to the Committee on Corporate Institutions; the 4th to the Committee on Agriculture and Manufactures; the 5th to the Committee on County Courts; and the 6th to the Committee on Internal Improvement.

On motion, leave of absence, indefinitely, was granted to Messrs. W. H. Evans and Foree.

On motion of Mr. Thomas, the rule requiring the reference of a bill to a committee was suspended, and the order made on Saturday last referring a bill from the Senate, entitled

An act to repeal an act, entitled "An act for the benefit of the common school district No. 8, in Lewis county," approved January 10, 1872,

Was set aside, and, on the further motion of Mr. Thomas, said bill was taken up.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Sacksteder, from the Committee on Codes of Practice, who were directed to prepare and bring in the same, reported

A bill to increase the jurisdiction of the police judge and justices of the peace in the voting district of Florence, in the county of Boone.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Amendments were offered thereto.

Mr. Clay then moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Jones, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | Wm. A. Hoskins, |
| George W. Anderson, | R. L. Cooper, | T. M. Johnson, |
| A. S. Arnold, | J. E. Cosson, | J. S. Lawson, |
| J. A. Bell, | Walter Evans, | Bryan S. McClure, |
| J. C. S. Blackburn, | W. H. Evans, | W. L. Reeves, |
| Wm. F. Bond, | James B. Fitzpatrick, | E. A. Robertson, |
| James S. Chrisman, | C. D. Foote, | J. R. Sanders, |
| C. M Clay, jr., | Joseph P. Foree, | George M. Thomas, |
| J. Guthrie Coke, | Wm. Cassius Goodloe, | L. W. Trafton—27. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | E. Polk Johnson, | John Rowan, |
| A. C. Armstrong, | T. J. Jones, | John P. Rowlett, |

W. W. Ayers,
G. W. Bailey,
W. N. Beckham,
S. C. Bell,
Thomas P. Cardwell,
Robert M. Carlisle,
John S. Carpenter,
B. E. Cassilly,
William G. Conrad,
Thomas H. Corbett,
E. A. Graves,
C. P. Gray,
L. W. Lassing,
G. W. Little,
M. E. McKenzie,
T. J. Megibben,
J. C. Moorman,
W. A. Morin,
Wm. Mynhier,
J. L. Nall,
Julian N. Phelps,
Lewis Potter,
Hiram S. Powell,
Samuel M. Sanders,
James W. Snyder,
J. S. Taylor,
Harry I. Todd,
E. F. Waide,
J. L. Waring,
C. H. Webb,
J. M. White,
Mordecai Williams,
J. N. Woods,
S. H. Woolfolk—40.

On motion of Mr. Evans, said bill and proposed amendments were then laid on the table.

Mr. Graves moved to reconsider the vote by which the bill and proposed amendments were laid on the table.

Mr. Jones moved to suspend the rules and take up said motion.

And the question being taken thereon, it was decided in the negative, the requisite number not having voted therefor.

The yeas and nays being required thereon by Messrs. Foree and Blackburn, were as follows, viz:

Those who voted in the affirmative, were--

A. C. Armstrong,
W. W. Ayers,
B. E. Cassilly,
William G. Conrad,
Thomas H. Corbett,
E. A. Graves,
T. J. Jones,
L. W. Lassing,
G. W. Little,
T. J. Megibben,
Wm. Mynhier,
J. L. Nall,
John Rowan,
John P. Rowlett,
J. P. Sacksteder,
J. R. Sanders,
James W. Snyder,
J. S. Taylor,
Harry I. Todd,
J. N. Woods,
S. H. Woolfolk—21.

Those who voted in the negative, were—

Mr. Speaker (M'Creary)
Wm. A. Allen,
George W. Anderson,
A. S. Arnold,
G. W. Bailey,
W. N. Beckham,
John A. Bell,
S. C. Bell,
J. C. S. Blackburn,
Wm. F. Bond,
Robert M. Carlisle,
John S. Carpenter,
James S. Chrisman,
C. M. Clay, jr.,
J. Guthrie Coke,
R. D. Cook,
R. L. Cooper,
J. E. Cosson,
John W. Dyer,
Walter Evans,
W. H. Evans,
James B. Fitzpatrick,
C. D. Foote,
Joseph P. Foree,
Wm. Cassius Goodloe,
C. P. Gray,
Clinton Griffith,
Wm. A. Hoskins,
E. Polk Johnson,
Thos. M. Johnson,
J. S. Lawson,
Bryan S. McClure,
M. E. McKenzie,
J. C. Moorman,
W. A. Morin,
Julian N. Phelps,
Lewis Potter,
Hiram S. Powell,
W. L. Reeves,
E. A. Robertson,
Samuel M. Sanders,
George M. Thomas,
L. W. Trafton,
T. W. Varnon,
E. F. Waide,
J. L. Waring,
C. H. Webb,
Mordecai Williams,
J. M. White--49.

And so the House refused to suspend the rules.

A message was received from the Senate, asking leave to withdraw from this House the announcement of their disagreement to a bill, which originated in this House, entitled

An act for the benefit of George W. McClure, coroner of Rockcastle county.

Said leave was granted, and the bill delivered to the Senate messenger.

Mr. Chrisman moved to reconsider the vote by which this House, on Saturday, adopted a resolution, entitled

Resolution concerning the State Library.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Grand Central Industrial Exposition.

An actto legalize the acts of O. G. Moore, late sheriff of Edmonson county, and authorizing him to give bond.

An act authorizing incorporated towns to establish work-houses and station-houses, and authorizing the confinement of persons guilty of violating town ordinances to be confined in the work-house or put to work on the streets.

An act for the benefit of B. F. Ryal, jailer of Cumberland county.

An act for the benefit of L. H. Oakley and W. H. Letton, of Laurel county.

An act to repeal the charter of the town of Walton, Boone county.

An act for the benefit of P. G. Lawson, of Warren county.

An act for the benefit of Irvin W. Bowman, late sheriff of Bracken county.

That they had disagreed to a bill, which originated in the House of Representatives, of the following title, viz:

An act to create magistrates' and constable's district No. 11, in Hardin county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

A act to amend section 39th of the city charter of Owensboro.

An act to amend an act, entitled "An act to prevent justices of the peace in Kenton county from holding inquests in certain cases," approved March 22, 1871.

An act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits in said court, and continue the same.

An act for the benefit of W. B. Stivers, school commissioner of Madison county.

An act to regulate sales made under decrees of the Metcalfe circuit court.

An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

A bill to incorporate Salt River College.

An act to amend an act, entitled "An act to incorporate the Grand Central Industrial Exposition," approved February 16th, 1872.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Green River Lock and Dam Company.

2. An act to extend the provisions of an act, entitled "An act for the protection of livery stable-keepers in this Commonwealth," approved January 31st, 1871, to the counties of Christian, McLean, Boyd, Estill, Madison, Nicholas, Caldwell, Fleming, Boyle, Garrard, Lincoln, Casey, Harrison, Hopkins, Bourbon, Clark, Montgomery, Bath, and Crittenden.

3. An act to prevent the destruction of fish in Mercer county.

4. An act to amend an act, entitled "An act further to amend the acts in relation to Elizabethtown, and to extend its bounds," approved March 11, 1867.

5. An act to amend an act, entitled "An act to amend the charter of the town of Elizabethtown."

6. An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown."

7. An act to authorize the Lawrence county court to levy an ad valorem and per capita tax for county purposes.

8. An act to limit the power of the Barren county court in ordering elections for subscription of stock to the Cumberland and Ohio Railroad Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on Revised Statutes;

the 3d to the Committee on Agriculture and Manufactures; the 4th, 5th, and 6th to the Committee on Corporate Institutions; the 7th to the Committee on County Courts; and the 8th to the Committee on Railroads.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Powell, from the Committee on Religion—

An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof.

By Mr. Lawson, from the same committee—

An act authorizing the trustees of the Baptist Church of Lick Creek, in Gallatin county, to sell and convey certain land belonging to said church.

By same—

An act in relation to the sale of spirituous liquors in Owsley county.

By Mr. Carpenter, from the Committee on Education—

An act authorizing the trustees of Bardstown to levy a tax for the purpose of purchasing a school-house.

By same—

An act amending an act, entitled "An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown."

By same—

An act for the benefit of school district No. 26, in Nicholas county.

By Mr. Morin, from the same committee—

An act to amend an act, entitled "An act to revise the laws relating to the public schools and academy of the city of Newport," approved February 17, 1860.

By Mr. Cooper, from the same committee—

An act for the benefit of the University of the city of Paducah.

By same—

An act for the benefit of the Female Seminary of the city of Paducah.

By same—

An act to incorporate the trustees of the Washington Scientific School, in Mason county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Morin, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act to incorporate the Franklin Academic Institute,

Reported the same with an amendment as a substitute therefor.

Said amendment was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the amendment proposed by the Senate to a bill which orignated in this House, of the following title, viz:

An act to amend the town charter of New Market, in Marion county.

Mr. Graves offered an amendment to the amendment proposed by the Senate.

Said amendment was adopted.

The House then concurred in the Senate amendment as amended.

The House took up from the orders of the day

A bill to amend section 329 of the Civil Code of Practice.

*Ordered*, That said bill be recommitted to the Committee on Revised Statutes.

The House then took up the motion heretofore made to reconsider the vote by which this House passed

A bill to establish an additional justices' and constable's district and voting precinct in Ohio county.

Mr. Waide moved to lay the motion to reconsider said vote on the table.

And the question being taken thereon, it was decided in the affirmative.

And the Clerk is directed to report said bill to the Senate as passed by this House.

Mr. Carpenter, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill to provide means for the establishment and support of public schools for the children of the colored people of the Commonwealth of Kentucky.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Waide,

*Ordered*, That said bill be printed, and that the consideration thereof be postponed to, and made the special order of the day for, Wednesday 28th inst., at 11 o'clock, A. M.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Powell, from the Committee on Religion—

A bill for the benefit of David Wortham, of Graves county.

By same—

A bill submitting to the qualified voters of Josh Bell county the question of prohibiting the sale of spirituous liquors in said county.

By same—

A bill to prohibit the sale of intoxicating liquors in the town of Claysville.

By same—

A bill to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county.

By same—

A bill to incorporate the Good Templars' Joint Stock Company of the town of Monterey, in Owen county.

By same—

A bill to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county.

By same—

A bill to prohibit the sale of ardent spirits in Morgan county.

By Mr. Phelps, from the same committee—

A bill to protect small birds in Bracken county.

By same—

A bill in relation to the sale of spirituous and other liquors in the county of Spencer.

By same—

A bill to amend an act to prohibit the sale of intoxicating liquors in the county of Bullitt, approved March 21, 1871.

By same—

A bill to prohibit the sale of intoxicating liquors in Potsville district, in Washington county.

By same—

A bill to prohibit the sale of ardent spirits in Owen county.

By same—

A bill to prohibit the sale of intoxicating liquors in Pulaski county.

By Mr. Taylor, from the same committee—

A bill to prevent the sale of spirituous liquors within one mile of East Hickman Baptist Church, in Fayette county.

By same—

A bill to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county.

By same—

A bill to repeal an act, entitled "An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown precinct, No. 4, in Clark county."

By same—

A bill allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town.

By same—

A bill to prohibit the sale of intoxicating liquors in and near the town of Spottsville, in Henderson county.

By Mr. Lawson, from the same committee—

A bill to amend an act prohibiting the sale of intoxicating drink in Rockcastle county.

By same—

A bill for the benefit of Gilead Presbyterian Church, in Bath county.

By Mr. Trafton, from the Committee on Education—

A bill to establish a system of common schools in the town of Corydon, in Henderson county.

By Mr. Williams, from the same committee—

A bill giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a school-house in said district.

By same—

A bill for the benefit of Jesse K. Howard, school commissioner of Elliott county.

By Mr. Armstrong, from the same committee—

A bill for the benefit of J. M. Forgy, school commissioner of Butler county.

By Mr. Cosson, from the same committee—

A bill for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county.

By same—

A bill for the benefit of Green V. Holland.

By Mr. Gray, from the same committee—

A bill to organize and establish a system of public schools in the city of Hopkinsville for white children in said city.

By same—

A bill to charter the Eddyville Male and Female Academy, in Lyon county.

By Mr. Cosson, from the same committee—

A bill to amend an act, entitled "An act to cause good schoolhouses to be erected in the Eighth and Ninth Congressional Districts."

By same—

A bill providing for levying a tax in aid of common schools in Greenup and Carter counties.

By Mr. Armstrong, from the same committee—

A bill for the benefit of school district No. 16, in Fulton county.

By same—

A bill to incorporate the Columbus Male and Female Academy, in Hickman county.

By same—

A bill to amend an act, entitled "An act to establish a graded school at St. James College, in Shelbyville, Shelby county."

By same—

A bill for the benefit of common schools in Kentucky.

By same—

A bill to incorporate Proctor Male and Female Seminary, in Lee county.

By same—

A bill for the benefit of school district No. 38, in Trigg county.

By Mr. Morin, from the same committee—

A bill to provide for the redistricting of the school districts of the county of Campbell.

By same—

A bill for the benefit of school district No. 19, of Hancock county.

By Mr. Armstrong, from the same committee—

A bill for the benefit of B. L. Carr.

By same—

A bill authorizing the trustees of common school district No. 4, in McCracken county, to levy and collect a tax for the erection of school buildings.

By same—

A bill to establish an institution of learning in the town of Hardinsville, in Shelby county, to be known as the Lee Academy.

By Mr. Cooper, from the same committee—

A bill for the benefit of Fleming County Seminary.

By same—

A bill to repeal an act passed 10th March, 1854, granting the trustees of the Dover Seminary power to control the public school fund of school district No. 2, in Mason county.

By same—

A bill for the benefit of school district No. 26, in Ohio county.

By same—

A bill to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro for white children in said city," approved March 13, 1871.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Griffith offered the following preamble and resolution, viz:

WHEREAS, It is apparent that the standing committees of this House will not be able to report for a long time many important bills now ready to be reported, on account of rule 50, which requires the orders of the day to be called at 12 o'clock, M ; therefore,

*Resolved*, That until all of the standing committees of this House shall have reported, the orders of the day shall be called at 1 o'clock, instead of 12 o'clock.

Which was adopted.

The House took up the amendment proposed by the Senate to a bill which originated in this House, entitled

An act to amend an act, entitled "An act exempting salt wagons from paying toll on the Wilderness Turnpike Road, in Knox and Josh Bell counties."

Said amendment was concurred in.

The House then took up from the orders of the day a bill, entitled

A bill to regulate the sale of ardent spirits.

Mr. Anderson offered an amendment thereto.

On motion of Mr. Corbett, said bill and proposed amendment were laid on the table.

Mr. W. Evans then moved to reconsider the vote by which said bill and amendment were laid on the table.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and a resolution, which originated in the Senate, of the following title, viz:

An act to change and regulate the time of holding the circuit courts in the first judicial district;

Resolution on the death of Daniel Clark, Ancient Governor;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Lawrenceburg;

An act for the benefit of Montgomery Lodge, No. 23, of Free and Accepted Masons;

An act for the benefit of Henry county;

An act for the benefit of the heirs of R. M. Biggs, deceased;

An act to amend the 1st section of an act, entitled "An act to prevent the destruction of fish in Clover creek, in Breckinridge county;"

An act for the benefit of the securities of Robert Hamilton, late sheriff of Perry county;

An act to pay Bullitt county for keeping pauper lunatics;

An act for the benefit of Henry G. Black, of Ballard county;

An act for the benefit of certain turnpike roads in Bath county;

An act to amend the charter of the Alexandria and Flagg Spring Turnpike Road Company;

An act to amend section 20, of article 1, of chapter 91, of the Revised Statutes;

An act to change the time of holding court of claims in Graves county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Leave was given to bring in the following bills, viz:

On motion of Mr. Williams—

1. A bill to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company."

On motion of same—

2. A bill to incorporate the Big Sandy Highway Bridge Company.

On motion of same—

3. A bill to re-enact an act, entitled "An act to incorporate the Big Blaine Improvement Company."

On motion of Mr. Powell—

4. A bill for the benefit of Green V. Holland, school commissioner of Jackson county.

On motion of Mr. Mynhier—

5. A bill to amend chapter 28, article 6, section 2, of the Revised Statutes.

*Ordered*, That the Committee on Corporate Institutions prepare and bring in the 1st and 3d; the Committee on Internal Improvement the 2d; the Committee on Education the 4th; and the Committee on the Revised Statutes the 5th.

And then the House adjourned.

## TUESDAY, FEBRUARY 27, 1872.

The following petition and remonstrance were presented, viz:

By Mr. Nall—

1. The petition of certain citizens of Hardin county, praying the enactment of a prohibitory liquor law for said county.

By Mr. Bascom—

2. The remonstrance of certain citizens of this State, against any amendments to the charter of the Licking River Lumber and Mining Company.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion, and the 2d to the Committee on Corporate Institutions.

On motion of Mr. Foote, leave was given to bring in a bill to amend chapter 39 of the Revised Statutes.

*Ordered*, That the Committee on County Courts prepare and bring in the same.

Mr. Corbett offered the following resolution, viz:

*Resolved*, That James Garnett, E. A. Graves, John W. Ogilvie, and James S. Chrisman be added to the Committee on Retrenchment and Reform.

Which being twice read, was adopted.

A message was received from the Senate, announcing that they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Cleaveland Orphan Asylum.

An act for the benefit of John B. Greenwell, of Owen county.

An act to authorize the clerk of the Todd county court to make a cross-index to all the deeds in his office.

An act to authorize J. D. Cumbie to change the direction of the State road running through his lands in Todd county.

That they had disagreed to a bill, which originated in the House of Representatives, of the following title, viz:

An act to require the county court of Christian county to appoint commissioners to divide said county into not less than fifteen magisterial districts.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Carrsville Silver and Lead Mining Company.

2. An act for the benefit of S. C. Linn, late sheriff of Calloway county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Corporate Institutions, and the 2d to the Committee on Ways and Means.

Mr. Brooks moved to reconsider the vote by which this House, on yesterday, passed

A bill to amend an act to prohibit the sale of intoxicating liquors in the county of Bullitt, approved March 21, 1871.

And the question being taken thereon, it was decided in the affirmative.

The vote by which said bill was ordered to be read a third time was also reconsidered.

On motion of Mr. Brooks, said bill was recommitted to the Committee on Religion.

Mr. Mynhier moved to reconsider the vote by which this House, on yesterday, passed

A bill for the benefit of Jesse K. Howard, school commissioner of Elliott county.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Lewis Potter, |
| Wm. A. Allen, | John W. Dyer, | Hiram S. Powell, |
| George W. Anderson, | W. H. Evans, | W. L. Reeves, |
| A. C. Armstrong, | M. Woods Ferguson, | E. A. Robertson, |
| A. S. Arnold, | C. D. Foote, | John Rowan, |
| W. W. Ayers, | Wm. Cassius Goodloe, | John P. Rowlett, |
| G. W. Bailey, | C. P. Gray, | J. R. Sanders, |

| | | |
|---|---|---|
| R. Tarv. Baker, | Wm. A. Hoskins, | C. C. Scales, |
| Alpheus W. Bascom, | George M. Jessee, | William Sellers, |
| W. N. Beckham, | E. Polk Johnson, | James W. Snyder, |
| John A. Bell, | Thos. M. Johnson, | Wm. Tarlton, |
| S. C. Bell, | T. J. Jones, | J. S. Taylor, |
| J. C. S. Blackburn, | L. W. Lassing, | G. M. Thomas, |
| Wm. F. Bond, | J. S. Lawson, | C. W. Threlkeld, |
| W. B. M. Brooks, | G. W. Little, | Harry I. Todd, |
| Thomas P. Cardwell, | J. A. McCampbell, | L. W. Trafton, |
| Robert M. Carlisle, | Bryan S. McClure, | Joseph T. Tucker, |
| John S. Carpenter, | M. E. McKenzie, | T. W. Varnon, |
| George Carter, | T. J. Megibben, | E. F. Waide, |
| B. E. Cassilly, | J. C. Moorman, | J. L. Waring, |
| J. Guthrie Coke, | W. A. Morin, | C. H. Webb, |
| Wm. G. Conrad, | Wm. Mynhier, | J. M. White, |
| R. D. Cook, | J. L. Nall, | Mordecai Williams, |
| R. L. Cooper, | Mat. Nunan, | F. A. Wilson, |
| Thomas H. Corbett, | John W. Ogilvie, | J. N. Woods, |
| J. E. Cosson, | Julian N. Phelps, | S. H. Woolfolk—78. |

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Said bill is as follows, viz:

WHEREAS, By the provisions of the third section of an act, entitled "An act to amend an act, entitled 'An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,'" approved March 13th, 1871, provided that the compensation to school commissioners of this Commonwealth should be paid out of the surplus fund due the counties for which the State had issued its bonds; and whereas, the county of Elliott was established in the year 1869, out of parts of Morgan and Carter counties; and whereas, on the 1st of January, 1872, the school commissioner of Elliott county presented his account to the Superintendent of Public Instruction for examination and approval, which said account, after examination, amounted to the sum of $213, and there being only the sum of $76 due to Elliott county of the bonds issued by the State due to Elliott county, lacking the sum of $137 of paying said school commissioner the amount of his said account; and whereas, there is a considerable amount of the bonded fund issued by the State standing to the counties of Morgan and Carter; and whereas, the county of Elliott is equitably entitled to its proportionate part of said fund, according to the number of votes taken off of said counties, and formed into Elliott; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Superintendent of Public Instruction be, and he is hereby, directed to certify the said account of the school commissioner of Elliott county for the year 1871 to the Auditor of Public Accounts, who shall draw his warrant on the Treasury in favor of said school commissioner, Jesse K. Howard, for the sum of $137, one half payable out of the bonded fund due Morgan county, and

one half payable out of the bonded fund due Carter county, which amount shall be paid by the Treasury out of said fund.

§ 2. This act shall take effect from its passage.

On motion of Mr. Blackburn, Mr. Reeves was added to the Committee on Railroads.

Mr. Armstrong, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act for the benefit of school district No. 35, in Owen county,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

Mr. Corbett, from the Committee on the Penitentiary, to whom was referred a bill from the Senate, entitled

An act to provide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the penitentiary, and to repair the walls and penitentiary building,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of forty-five thousand dollars be, and the same is hereby, appropriated, for the purpose of building a prison and spinning-walk in the Penitentiary for female convicts, and to extend the walls of said Penitentiary, and to repair the buildings now used as Penitentiary buildings.

§ 2. That the Governor, the Auditor of Public Accounts, and the Treasurer, be, and they are hereby, appointed a commission to employ an architect to furnish suitable plans and specifications to be adopted by them, and to employ and make a contract with some suitable builder or builders to erect said buildings and extend said walls; but said commissioners shall in no case exceed the amount appropriated in the first section of this bill: *Provided*, That said commissioners shall be required to advertise, in two newspapers published in Frankfort, and two or more newspapers published in the city of Louisville, in one or more newspapers published in the city of Lexington, and in one or more newspapers published in the city of Covington, and in two or more newspapers published in the city of Cincinnati, Ohio, for thirty days before letting, for proposals for contracts for said work, and shall let the same to the lowest and best bidder or bidders, who shall execute bond to the State, with approved security, for the faithful performance of his or their contract: *And provided further*, That neither of said commissioners shall, directly

or indirectly, be interested in the work to be done or materials furnished.

§ 3. The said commissioners are hereby authorized to issue certificates to the Auditor in favor of the contractor or contractors, for such sum as will pay not more than seventy (70) per cent. for work done as it progresses, at such time as they may deem proper; but at no time shall they issue any such certificates for work which has not been done.

§ 4. Upon the receipt of any of the certificates provided for in the third section of this act, it shall be the duty of the Auditor to draw his warrant upon the Treasury for said sum corresponding with such certificate, to be paid out of any money in the Treasury not otherwise appropriated.

§ 5. The commissioners before acting shall take an oath for the faithful performance of their duties under this act.

§ 6. The character of buildings and improvements contemplated under the provisions of this act are—first, the extension of the walls of the Penitentiary, beginning at the northeast corner of the present wall, and extending it a straight line with the old wall to the Owenton pike; thence with or near said pike until it intersects with the prison wall now built. In the construction of said wall the north wall of said inclosure, now standing, is to be torn down, and the materials therein are to be used in constructing the new wall, which wall is to be similar, in all respects, to the old wall, and is to be twenty-two feet in height; second, the erection of a substantial brick house, with the needed iron, stone, &c., for the use of female convicts, to be used as a hospital, cell-house, dining-room, kitchen, halls, and washroom; the building to be at least thirty feet by one hundred and thirty feet in the clear, and two stories high, and constructed in an appropriate and workmanlike manner; third, the erection of a brick building, to be used as a spinning-walk, two stories high. All of which buildings are to be erected upon the additional ground included by the extension of the new wall.

§ 7. The said commissioners shall not expend, in the erection of the improvements hereby contemplated, a greater sum than thirty-five thousand dollars; and the excess of this appropriation remaining unexpended shall be expended by them, or such part as they may deem proper, in making needed repairs to the walls and public buildings now built and owned by the State as a Penitentiary.

§ 8. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Lewis Potter, |
| Wm. A. Allen, | M. Woods Ferguson, | Hiram S. Powell, |
| George W. Anderson, | James B. Fitzpatrick, | E. A. Robertson, |
| A. C. Armstrong, | C. D. Foote, | John P. Rowlett, |

| | | |
|---|---|---|
| W. W. Ayers, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| G. W. Bailey, | E. A. Graves, | J. R. Sanders, |
| R. Tarv. Baker, | C. P. Gray, | C. C. Scales, |
| Alpheus W. Bascom, | Clinton Griffith, | William Sellers, |
| W. N. Beckham, | Wm. A. Hoskins, | Wm. Tarlton, |
| John A. Bell, | George M. Jessee, | George M. Thomas, |
| J. C. S. Blackburn, | E. Polk Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | T. M. Johnson, | Harry I. Todd, |
| W. B. M. Brooks, | T. J. Jones, | L. W. Trafton, |
| Thomas P. Cardwell, | L. W. Lassing, | Joseph T. Tucker, |
| John S. Carpenter, | J. S. Lawson, | T. W. Varnon, |
| George Carter, | G. W. Little, | E. F. Waide, |
| B. E. Cassilly, | J. A. McCampbell, | J. L. Waring, |
| James S. Chrisman, | M. E. McKenzie, | C. H. Webb, |
| J. Guthrie Coke, | T. J. Megibben, | J. M. White, |
| R. D. Cook, | W. A. Morin, | Mordecai Williams, |
| R. L. Cooper, | Wm. Mynhier, | F. A. Wilson, |
| Thomas H. Corbett, | J. L. Nall, | J. N. Woods, |
| J. E. Cosson, | Mat. Nunan, | S. H. Woolfolk, |
| Joseph M. Davidson, | John W. Ogilvie, | J. M. Wright—74. |
| John W. Dyer, | Julian N. Phelps, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| S. C. Bell, | William J. McElroy, | John Rowan, |
| Robert M. Carlisle, | J. C. Moorman, | James W. Snyder, |
| Wm. G. Conrad, | W. L. Reeves, | J. S. Taylor—10. |
| Bryan S. McClure, | | |

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3, 1871.

An act to amend an act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth, approved March 25, 1871.

An act to amend an act to incorporate the North Middletown Deposit Bank, approved March 15, 1869.

An act to amend an act, entitled "An act for the benefit of common school districts in Clinton county."

An act to appropriate money for the benefit of the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children.

An act to incorporate the Lexington Building and Accumulating Fund Association.

Resolutions in relation to distilleries and the tax thereon.

Mr. Rowlett, from the Committee on Enrollments, reported that they had examined an enrolled bill, which originated in the Senate, entitled

An act authorizing the trustees of the Baptist Church of East Fork, in Henry county, to sell the church property and reinvest the proceeds;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Salt River College;

An act to amend an act, entitled "An act exempting salt wagons from paying toll on the Wilderness Turnpike Road, in Knox and Josh Bell counties;"

An act to regulate sales made under decrees of the Metcalfe circuit court;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Bills were reported by the committee who were directed to prepare and bring in the same of the following titles, viz:

By Mr. McKenzie, from the Committee on Ways and Means—

A bill to amend the revenue laws of this Commonwealth.

By Mr. Graves, from the same committee—

A bill to increase the revenue.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

Mr. Megibben offered an amendment to the last named bill.

*Ordered*, That said bills and amendment be printed, and the consideration of the 1st be postponed to, and made the special order of the day for, Friday, 1st March; and that the 2d be recommitted to the Committee on Revised Statutes.

Mr. Corbett, from the Committee on the Penitentiary, to whom was referred a resolution, entitled

Resolution providing for the purchase of a Library for the Kentucky Penitentiary,

Reported the same without amendment, and with the expression of opinion that the same ought to pass.

Said resolution is as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the sum of five hundred dollars be, and is hereby, appropriated, for the purpose of purchasing suitable educational, moral, historical, and religious books for the use of the convicts confined in the Kentucky Penitentiary, for which sum the Auditor of Public Accounts will issue his order on the Treasurer, payable to the chaplain of the prison (J. K. P. South), S. C. Bull, T. J. Dodd, and H. B. Lyon, who are hereby charged with the duty of selecting and purchasing such suitable books as aforesaid, a list of which, with the cost thereof, they will report to the Auditor. The books so purchased shall be used by the prisoners under the supervision and direction of the chaplain.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | W. L. Reeves, |
| Wm. A. Allen, | James B. Fitzpatrick, | John P. Rowlett, |
| George W. Anderson, | C. D. Foote, | J. P. Sacksteder, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | J. R. Sanders, |
| Alpheus W. Bascom, | Clinton Griffith, | C. C. Scales, |
| W. N. Beckham, | Wm. A. Hoskins, | Wm. Tarlton, |
| John A. Bell, | George M. Jessee, | George M. Thomas, |
| Wm. F. Bond, | E. Polk Johnson, | C. W. Threlkeld, |
| W. B. M. Brooks, | T. J. Jones, | Harry I. Todd, |
| Thomas P. Cardwell, | L. W. Lassing, | L. W. Trafton, |
| Robert M. Carlisle, | J. S. Lawson, | Joseph T. Tucker, |
| John S. Carpenter, | J. A. McCampbell, | E. F. Waide, |
| George Carter, | T. J. Megibben, | J. L. Waring, |
| B. E. Cassilly, | W. A. Morin, | C. H. Webb, |
| C. M. Clay, jr., | Wm. Mynhier, | Mordecai Williams, |
| J. Guthrie Coke, | J. L. Nall, | F. A. Wilson, |
| R. L. Cooper, | Mat. Nunan, | J. N. Woods, |
| Thomas H. Corbett, | John W. Ogilvie, | S. H. Woolfolk, |
| Joseph M. Davidson, | Lewis Potter, | J. M. Wright—57. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | E. A. Graves, | Julian N. Phelps, |
| S. C. Bell, | C. P. Gray, | John Rowan, |
| James S. Chrisman, | Thos. M. Johnson, | Wm. Sellers, |
| William G. Conrad, | G. W. Little, | James W. Snyder, |
| R. D. Cook, | Bryan S. McClure, | J. S. Taylor, |
| J. E. Cosson, | Wm. J. McElroy, | T. W. Varnon, |
| John W. Dyer, | J. C. Moorman, | J. M. White--21. |

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act to amend 'An act to incorporate the Red River Iron Manufacturing Company,'" approved 13th February, 1872.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Railroads.

Mr. Clay, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the Senate, entitled

An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming,

Reported the same without amendment.

Mr. Robertson offered an amendment to said bill, which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate asking to withdraw from the House of Representatives the announcement of their disagreement to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bourbon Female College.

An act to incorporate Bourbon Building and Savings Association, of Paris.

Leave was granted, and said bills delivered to the Senate messenger.

Mr. McKenzie, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act for the benefit of the county of Nelson,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor is hereby authorized to draw his warrant on

the Treasurer of this State, in favor of the county of Nelson, for the sum of one hundred and fifty-three dollars and fifteen cents, payable out of any money in the Treasury not otherwise appropriated, being so much incurred by said county in caring for pauper lunatics.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | E. A. Robertson, |
| Wm. A. Allen, | Joseph M. Davidson, | John Rowan, |
| George W. Anderson, | John W. Dyer, | John P. Rowlett, |
| A. C. Armstrong, | W. H. Evans, | J. P. Sacksteder, |
| A. S. Arnold, | C. D. Foote, | J. R. Sanders, |
| W. W. Ayers, | E. A. Graves, | C. C. Scales, |
| R. Tarv. Baker, | C. P. Gray, | Wm. Sellers, |
| Alpheus W. Bascom, | Wm. A. Hoskins, | William Tarlton, |
| W. N. Beckham, | George M. Jessee, | J. S. Taylor, |
| John A. Bell, | T. M. Johnson, | George M. Thomas, |
| S. C. Bell, | J. S. Lawson, | C. W. Threlkeld, |
| J. C. S. Blackburn, | J. A. McCampbell, | Harry I. Todd, |
| Wm. F. Bond, | Wm. J. McElroy, | L. W. Trafton, |
| W. B. M. Brooks, | M. E. McKenzie, | Joseph T. Tucker, |
| Thomas P. Cardwell, | T. J. Megibben, | T. W. Varnon, |
| Robert M. Carlisle, | J. C. Moorman, | E. F. Waide, |
| John S. Carpenter, | W. A. Morin, | J. L. Waring, |
| George Carter, | Wm. Mynhier, | J. M. White, |
| B. E. Cassilly, | J. L. Nall, | Mordecai Williams, |
| James S. Chrisman, | Mat. Nunan, | F. A. Wilson, |
| J. Guthrie Coke, | John W. Ogilvie, | J. N. Woods, |
| Wm. G. Conrad, | Julian N. Phelps, | S. H. Woolfolk, |
| R. D. Cook, | Lewis Potter, | J. M. Wright—69. |

Those who voted in the negative, were—

G. W. Little, Bryan S. McClure—2.

*Resolved*, That the title of said bill be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the committees to whom they had been referred, viz:

By Mr. Armstrong, from the Committee on Education—

An act for the benefit of Sulphur Well school district, in Jessamine county.

By Mr. Clay, from the Committee on Agriculture and Manufactures—

An act to incorporate, at the town of Walton, in the county of Boone, an Agricultural and Mechanical Association.

By same—

An act to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association, in Boyle county.

By same—

An act to change the time for the election of president and directors of the Christian County Agricultural and Mechanical Association.

By Mr. McKenzie, from the Committee on Ways and Means—

An act for the benefit of Thomas A. Ireland, clerk of the Owen county court.

By Mr. Graves, from the same committee—

An act for the benefit of Samuel Ellis and others.

By same—

An act for the benefit of John M. Thomas, of Grayson county.

By same—

An act for the benefit of Harrison Berry, of Nicholas county.

By same—

An act for the benefit of Wm. W. Burns, late sheriff of Robertson county, and his sureties.

By same—

An act supplemental to an act, entitled "An act for the benefit of Knox county," approved March 20, 1871.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Morin, from the Committee on Education—

A bill empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses.

By Mr. Clay, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

By same—

A bill to incorporate the Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical Association.

By same—

A bill to amend an act for the protection of sheep in this Commonwealth, approved January 31, 1865.

By same—

A bill to incorporate the Elm Spring Agricultural and Mechanical Association of Fleming, Mason, and Lewis counties.

By same—

A bill to incorporate the Agricultural and Mechanical Association of Colored People, of Shelby county.

By Mr. McKenzie, from the Committee on Ways and Means—

A bill for the benefit of James Turner, late sheriff of Perry county.

By Mr. Graves, from the same committee—

A bill for the benefit of the sureties of James B. McWhorter, late sheriff of Taylor county.

By same—

A bill for the benefit of John P. Barrett, sheriff of Ohio county, and his securities.

By same—

A bill authorizing the presiding judge of the Breathitt county court to submit to the qualified voters of said county the propriety of imposing an ad valorem and capitation tax for the construction of a bridge across the North Fork of the Kentucky river, near the town of Jackson.

By Mr. Cardwell, from the same committee—

A bill to transcribe certain surveyors' books of Breathitt county.

By same—

A bill to declare the South Fork of Quicksand creek, and other creeks in Breathitt county, navigable streams.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up from the orders of the day a bill, entitled

A bill for the benefit of Ambrose Portwood.

On motion of Mr. F. A. Wilson, said bill was laid on the table.

The House also took up the amendment proposed by the Senate (a substitute) to a bill which originated in this House, of the following title, viz:

An act to amend chapter 105, Revised Statutes—weight of coal.

Mr. Megibben offered an amendment to the amendment proposed by the Senate, which was rejected.

The question was then taken on concurring in the amendment proposed by the Senate, and it was decided in the negative.

Mr. Goodloe moved to suspend the regular order of business to permit a motion to be made to require a certain bill from the Senate to be referred to the Committee on the Judiciary, instead of the Committee on the Revised Statutes.

Pending the consideration of said motion, the hour of two o'clock, P. M., arrived, and then, under the rule, the House adjourned.

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## WEDNESDAY, FEBRUARY 28, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of the estate of Thos. H. Crawford," approved January 13, 1872.

An act to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5, 1866, and the several acts amendatory thereof.

An act authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts.

An act to enable the board of trustees of Harrodsburg to pay and discharge the indebtedness of the town.

That they had concurred in the amendments proposed by the House of Representatives to a bill, which originated in the Senate, of the following title, viz:

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the

Bowling Green and Madisonville Railroad Company," approved the 22d day of March, 1871.

2. An act in relation to the office of the Quarter-Master General.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Railroads, and the 2d to the Committee on Military Affairs.

The Speaker laid before the House the following response of the Auditor of Public Accounts to the following resolution, adopted by this House on the 9th ult., viz:

Whereas, There is a large deficiency in the revenue department of the Treasury of this State; and whereas, it is necessary that this General Assembly should make provision for that deficiency; therefore,

*Resolved*, That the Auditor be, and is hereby, directed to report to this House, with as little delay as practicable, against what revenue officers he has obtained judgment; what amount he obtained judgment for; what amount has been paid, and by whom; and what amount remains unpaid, and by whom; and what amount has been paid as attorney's fees on each judgment obtained in such cases since the 1st day of September, 1867; also, what commission has been paid upon the amount collected, to whom, and by whom paid; also, what commissions and fees, if any, have been paid on judgments obtained where no money was collected.

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Office Auditor Public Accounts,
Frankfort, Ky., February 28, 1872.

Hon. James B. McCreary, *Speaker of the House of Representatives:*

Sir: I have the honor to submit herewith a tabular statement, prepared in obedience to a resolution adopted in the House of Representatives on the 9th ult., giving a list of the revenue officers against whom the State has taken judgments since the 1st day of September, 1867; the amount of judgment obtained; the amount paid (and the amount unpaid) on said judgments, and by whom said amounts were paid; the amount paid as attorney's fees on each judgment, and to whom paid; the amount of commissions and fees, if any have been paid on said judgments, and to whom paid; and also what commissions and fees, if any, have been paid upon judgments obtained where no money was collected. This tabular statement is as full and complete, I believe, as a paper of this kind can well be prepared without taking more time and labor than any clerical force at my command would be able to prepare in any reasonable length of time.

I am, with consideration and respect,
Your obedient servant,
D. HOWARD, SMITH, *Auditor.*

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*Auditor.*



LIST OF REVENUE OFFICERS *against whom Judgment has been obtained; amount of Judgment obtained; amount paid; amount remaining unpaid; amount paid for Attorney's Fees on each Judgment; amount of Commission paid on sum Collected, &c.*

| COUNTIES. | Officers against whom judgment has been obtained. | | Amount of judgment obtained. | Amount of damages. | Amount of interest. | Amount of costs. | Amount of Attorney's fees. | To whom paid. | Amount paid on judgment. | Amount remaining unpaid. |
|---|---|---|---|---|---|---|---|---|---|---|
| Wolfe | C. M. Hanks, | 1861 | $634 37 | $126 87 | $267 03 | $3 05 | $15 22 | John Rodman. | $1,082 72 | |
| | | | | | | | 36 18 | Sheriff's com'n | | |
| Wolfe | C. M. Hanks, | 1862 | 675 68 | 135 13 | 244 00 | 3 05 | 18 30 | John Rodman. | 1,114 52 | |
| | | | | | | | 38 36 | Sheriff's com'n | | |
| Letcher | Leslie Johnson, | 1862 | 435 37 | 87 07 | 91 25 | 3 65 | 12 09 | John Rodman. | 542 36 | $87 07 |
| Perry | J. B. Campbell, | 1862 | 719 06 | None. | | | | | Nothing. | 719 06 |
| Mercer | J. C. Vanarsdale, | 1863 | 132 56 | 26 51 | 35 70 | 3 10 | 3 36 | John Rodman. | 201 23 | |
| Letcher | Leslie Johnson, | 1863 | 399 87 | 79 97 | 78 78 | 3 65 | 10 53 | John Rodman. | 545 71 | 79 97 |
| | | | | | | | 52 88 | Sheriff's com'n | | |
| Perry | J. B. Campbell, | 1863 | 719 06 | None. | | | | | Nothing. | 719 06 |
| Powell | John French | 1863 | 271 95 | 54 39 | 82 85 | 3 05 | 7 10 | John Rodman. | 419 34 | |
| Mercer | J. C. Vanarsdale, | 1864 | 1,185 02 | 237 00 | 249 05 | 3 10 | 28 68 | John Rodman. | 1,702 85 | |
| Metcalfe | Geo. A. Clarke, | 1864 | 320 48 | 64 09 | 78 81 | 4 90 | 7 58 | John Rodman. | 411 77 | 64 09 |
| Magoffin | W. J. Coffey, | 1864 | 1,191 23 | 238 24 | 200 96 | 3 05 | 27 64 | John Rodman. | 1,394 50 | 266 62 |
| Ohio | D. L. Miller, | 1864 | 133 42 | 26 68 | 30 68 | 2 45 | 2 28 | John Rodman. | 195 51 | |
| Perry | J. B. Campbell, | 1864 | 719 06 | None. | | | | | Nothing. | 719 06 |
| Magoffin | W. J. Coffey, | 1865 | 1,969 11 | 393 82 | 329 87 | 3 70 | 35 43 | John Rodman. | 1,771 96 | 1,015 73 |
| | | | | | | | 55 76 | Attorney's fee. | | |
| Ballard | T. D. Campbell, | 1865 | 426 26 | 85 25 | 66 78 | 3 10 | 9 86 | John Rodman. | 591 25 | |
| Metcalfe | Geo. A. Clarke, | 1865 | 703 15 | 140 63 | 129 98 | 4 90 | 16 66 | John Rodman. | 854 69 | 140 63 |
| Hickman | W. M. Samuels, | 1865 | 3,359 35 | | | 3 10 | For Att. | Gen. fee, see 1866. | *3,362 45 | |
| Owen | W. H. Lawrence, &c., sec. of J. M. Brown, | 1865 | 1,299 05 | None. | 360 96 | 9 20 | 33 20 | John Rodman. | 1,702 41 | |
| Allen | John H. Butler | 1865 | 215 23 | 43 34 | 36 58 | 2 45 | 15 03 | John Rodman. | 312 63 | |
| Monroe | Jas. Bartley, | 1865 | 287 44 | 57 48 | 49 16 | 2 45 | 6 73 | John Rodman. | 403 26 | 938 75 |
| Perry | J. B. Campbell, | 1865 | 938 75 | None. | | | | | Nothing. | |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Henry | G. C. Adams, &c., sec'y of W. J. Brewer, | 1865 | 884 41 | 176 88 | 159 19 | 3 10 | 20 87 | John Rodman. | 1,244 45 | | |
| Anderson | R. M. Kercheval, | 1866 | 4,819 63 | 963 92 | 430 11 | 3 10 | Att. Gen. | fee paid to himself. | 5,252 84 | 963 92 | |
| Boone | A. Q. Baker, | 1866 | 5,111 78 | 1,022 35 | 493 49 | 3 10 | 112 10 | John Rodman. | 5,720 47 | 1,022 35 | |
| Bourbon | A. L. Thomson, | 1866 | 4,114 60 | 822 92 | 412 85 | 3 10 | 90 54 | John Rodman. | 4,621 09 | 822 92 | |
| Casey | Jos. Bell, | 1866 | 2,932 73 | 586 54 | 325 88 | 4 90 | 65 17 | John Rodman. | 3,915 22 | | |
| Clay | D. W. Murray, | 1866 | 1,521 78 | 304 35 | 91 14 | 3 70 | 32 26 | John Rodman. | 1,648 88 | 304 35 | |
| Greenup | R. McAlister, | 1866 | 3,724 87 | 744 97 | 324 70 | 3 10 | 80 99 | John Rodman. | 4,133 66 | 744 97 | |
| Henderson | W. S. Hicks, | 1866 | 18,482 31 | 3,696 46 | 1,711 27 | 3 10 | 403 87 | John Rodman. | 20,807 10 | 3,696 46 | |
| | | | | | | | 206 55 | Attorney's fee. | | | |
| Henry | W. J. Brewer, | 1866 | 2,389 81 | 477 96 | 283 59 | 4 30 | 53 47 | John Rodman. | 3,258 31 | | |
| | | | | | | | 49 18 | Sheriff's com'n. | | | |
| Harlan | B. Calloway, | 1866 | 2,354 64 | 470 92 | Jd'nt revers- | ed 3 70 | by Court of | Appeals. | 464 87 | 2,364 39 | |
| Johnson | A. W. Nickels, | 1866 | 1,501 96 | 300 37 | 192 79 | 4 30 | 33 90 | John Rodman. | 2,107 17 | | |
| | | | | | | | 73 85 | Attorney's fees. | | | |
| Lawrence | J. H. Allison, | 1866 | 3,717 04 | | | | 39 20 | John Rodman. | 1,960 01 | 1,796 23 | |
| Marshall | G. S. Jones, | 1866 | 2,088 26 | 417 65 | 193 65 | 3 10 | 45 64 | John Rodman. | 2,330 65 | 417 65 | |
| Monroe | James Bartley, | 1866 | 4,526 09 | 905 20 | | | 57 53 | John Rodman. | 4,966 56 | 522 26 | |
| Perry | Robt. Hamilton, | 1866 | 906 02 | 181 20 | | | 14 64 | John Rodman. | 792 55 | 309 31 | |
| Pike | W. P. Johnson, | 1866 | 2,922 22 | 584 44 | | | 20 65 | John Rodman. | 1,061 81 | 2,465 50 | |
| Russell | W. T. Jackman, | 1866 | 1,498 58 | 299 71 | 132 72 | 3 10 | 35 22 | John Rodman. | 1,669 62 | 299 71 | |
| Whitley | Elijah Litton, | 1866 | 1,067 52 | 213 50 | 121 61 | 4 90 | 23 53 | John Rodman. | 1,217 56 | 213 50 | |
| Washington | C. F. Bosley, | 1866 | 4,664 66 | 932 93 | 424 28 | 3 70 | 101 77 | John Rodman. | 5,194 41 | 932 93 | |
| Woodford | J. W. Combs' sec'y, | 1866 | 5,142 73 | 1,028 54 | 479 79 | 7 50 | 112 60 | John Rodman. | 5,742 62 | 1,028 54 | |
| Bullitt | Thos. J. Hall, | 1866 | 1,194 17 | 238 83 | 121 00 | 3 70 | 26 30 | John Rodman. | 1,345 17 | 238 83 | |
| Grayson | B. W. Cleaver, | 1866 | 527 10 | 105 42 | 60 57 | 3 70 | 11 75 | John Rodman. | 708 54 | | |
| Nicholas | A. W. Blair, | 1866 | 2,372 27 | 474 45 | 226 54 | 3 10 | 51 98 | John Rodman. | 2,653 89 | 474 45 | |
| Hickman | W. M. Samuels, | 1866 | 4,442 36 | | | 2 10 | 144 81 | John Rodman. | *4,589 27 | | |
| Hardin | J. L. Hill, | 1866 | 605 41 | 121 08 | 65 44 | 3 70 | 13 50 | John Rodman. | 809 13 | | |
| Owen | Jos. M. Brown, | 1866 | 1,371 78 | None. | 153 08 | 9 20 | 20 50 | John Rodman. | 1,554 56 | | |
| Allen | C. D. J. Starks, &c., sec. of J. A. Butler, | 1866 | 7,193 39 | None. | 802 87 | 2 45 | 153 93 | John Rodman. | 8,152 64 | | |
| Jefferson | W. A. Ronald | 1866 | 5,734 49 | 1,146 89 | 640 18 | 3 05 | 127 49 | John Rodman. | 6,505 21 | 1,146 89 | |
| Warren | S. S. Potter, | 1866 | 341 59 | 68 31 | 40 28 | 2 45 | 7 63 | John Rodman. | 391 95 | 68 31 | |
| Montgomery | P. C. Bedford, | 1866 | 4,481 43 | 898 28 | 516 38 | 2 45 | 99 93 | John Rodman. | 5,100 19 | 898 28 | |
| Simpson | R. H. Earnest, | 1866 | 460 39 | 92 07 | 53 83 | 2 45 | 10 28 | John Rodman. | 619 02 | | |
| Wayne | Benoni Mills, | 1866 | 2,452 15 | 490 43 | 364 09 | 3 65 | 55 91 | John Rodman. | 3,366 23 | | |
| Breathitt | James Linden, | 1866 | 1,823 11 | 364 62 | 266 43 | 3 10 | 41 79 | John Rodman. | 2,215 28 | 364 62 | |
| | | | | | | | 80 85 | Attorney's fee. | | | |

List of Revenue Officers—Continued.

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Montgomery | P. C. Bedford, | 1866 | 4,481 43 | 898 28 | 516 38 | 2 45 | 99 93 | John Rodman. | 5,100 19 | 898 28 |
| Simpson | R. H. Earnest, | 1866 | 460 39 | 92 07 | 53 83 | 2 45 | 10 28 | John Rodman. | 619 03 | |
| Wayne | Benoni Mills, | 1866 | 2,452 15 | 490 43 | 364 09 | 3 65 | 55 91 | John Rodman. | 3,366 23 | |
| Breathitt | James Linden, | 1866 | 1,823 11 | 364 62 | 266 43 | 3 10 | 41 79 | John Rodman. | 2,215 28 | 364 62 |
| | | | | | | | 80 85 | Attorney's fee. | | |







LIST OF REVENUE OFFICERS—Continued.

| COUNTIES. | Officers against whom judgment has been obtained. | | Amount of judgment obtained. | Amount of damages. | Amount of interest. | Amount of costs. | Amount of Attorney's fees. | To whom paid. | Amount paid on judgment. | Amount remaining unpaid. |
|---|---|---|---|---|---|---|---|---|---|---|
| Union | Wm. Wilson, | 1866 | $972 34 | $194 46 | $106 64 | $3 10 | $21 58 | John Rodman. | $1,103 66 | $194 46 |
| Pulaski | Jos. Langdon, &c., sec. of Geo. Hail, | 1866 | 298 49 | | | | | | | †298 49 |
| Fulton | W. Herrin, | 1867 | 3,965 56 | 793 11 | 187 09 | 3 05 | 71 63 | John Rodman. | 4,266 11 | 874 38 |
| | | | | | | | 45 00 | Sheriff's com'n. | | |
| | | | | | | | 75 00 | Attorney's fee. | | |
| Harlan | John C. Howard, | 1867 | 1,530 01 | 306 00 | 73 98 | 3 05 | 32 08 | John Rodman. | 1,639 12 | 306 00 |
| Johnson | A. W. Nickell, | 1867 | 2,050 90 | 410 18 | | | 40 35 | John Rodman. | 2,417 50 | 83 93 |
| Letcher | Jas. W. Hogg, | 1867 | 741 81 | 148 36 | 38 03 | 3 05 | 15 60 | John Rodman. | 798 49 | 148 36 |
| Magoffin | B. F Howard, | 1867 | 1,563 61 | 312 72 | 110 77 | 3 05 | 32 96 | John Rodman. | 2,072 21 | |
| | | | | | | | 49 10 | Sheriff's com'n. | | |
| Pike | W. P. Johnson, | 1867 | 860 25 | None. | | 3 65 | 18 27 | John Rodman. | 882 17 | |
| Powell | J. H. Hall, jr., | 1867 | 1,052 84 | 210 56 | 48 95 | 3 05 | 22 03 | John Rodman. | 1,337 43 | |
| Rowan | B. F. Hayden, | 1867 | 992 90 | 198 58 | 48 43 | 2 45 | 20 82 | John Rodman. | 1,064 60 | 198 58 |
| Henderson | W. S. Hicks, | 1867 | 20,821 35 | 4,164 27 | 1,340 88 | 4 85 | 443 24 | John Rodman. | 22,818 56 | 4,164 27 |
| | | | | | | | 208 24 | Attorney's fee. | | |
| Adair | G. W. Pickett, | 1867 | 3,908 24 | 781 64 | 155 11 | 4 00 | 57 88 | John Rodman. | 4,125 23 | 781 64 |
| Bullitt | W. Phelps, | 1867 | 2,928 95 | Jud'nt taken | erroneously. | | | | 2,928 95 | |
| Casey | Jos. Bell, | 1867 | 2,997 78 | 599 55 | 188 06 | 3 10 | 63 71 | John Rodman. | 3,252 65 | 599 55 |
| Clay | Thomas Cook, | 1867 | 1,694 97 | 338 99 | 182 40 | 5 50 | 37 57 | John Rodman. | 2,259 43 | |
| Greenup | R. McAlister, | 1867 | 3,401 01 | 680 20 | 215 96 | 3 70 | 72 34 | John Rodman. | 4,373 21 | |
| Hart | B. F. Jameson, | 1867 | 2,080 34 | 416 06 | 110 04 | 3 10 | 43 80 | John Rodman. | 2,237 28 | 416 06 |
| Livingston | S. H. Piles, | 1867 | 2,544 67 | 508 93 | 124 32 | 2 50 | 53 32 | John Rodman. | 2,724 81 | 508 93 |
| Monroe | Jas. Bartley, | 1867 | 3,010 42 | 602 80 | 158 03 | 3 10 | 63 37 | John Rodman. | 3,234 92 | 602 80 |
| Metcalfe | J. H. Read, | 1867 | 3,290 06 | 658 01 | 204 08 | 3 40 | 69 88 | John Rodman. | 3,567 42 | 658 01 |
| Pulaski | Geo. Hail, | 1867 | 5,997 11 | 1,199 42 | | | 47 92 | John Rodman. | 2,396 35 | †4,848 10 |
| Trimble | Jas. B. Cook, | 1867 | 4,004 41 | 800 88 | | | 6 13 | John Rodman. | 306 63 | 4,504 79 |
| Wayne | John W. Duncan, | 1867 | 1,415 73 | 283 14 | 92 12 | 3 10 | 30 15 | John Rodman. | 1,541 10 | 283 14 |
| Breathitt | James Linden | 1867 | 602 93 | 120 58 | 42 20 | 3 10 | 12 90 | John Rodman. | 692 59 | 120 58 |
| | | | | | | | 31 46 | Sheriff's com'n | | |
| Estill | Jordan Neal, | 1867 | 1,192 37 | 238 47 | 84 18 | 3 10 | 25 51 | John Rodman. | 1,305 16 | 238 47 |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Garrard | Jno. L. Slavin, | 1867 | 1,690 59 | 338 11 | 128 03 | 3 10 | 36 36 | John Rodman. | 1,858 08 | 338 11 | |
| Green | A. C. Cox, | 1867 | 2,009 19 | 401 83 | 148 32 | 3 10 | 43 15 | John Rodman. | 2,203 76 | 401 83 | |
| Hancock | Thomas H. Estes, | 1867 | 2,879 32 | 575 86 | 211 60 | 3 10 | 61 80 | John Rodman. | 3,731 68 | | |
| Lawrence | J. H. Allison, | 1867 | 2,352 74 | 470 54 | | | 33 65 | John Rodman. | 1,683 35 | 1,173 58 | |
| McCracken | J. C. Calhoun, | 1867 | 4,979 53 | 995 90 | 375 94 | 3 10 | 107 11 | John Rodman. | 5,465 68 | 995 90 | |
| McLean | T. M. Conditt, | 1867 | 415 11 | 83 02 | 27 57 | 3 10 | 8 85 | John Rodman. | 454 63 | 83 02 | |
| Marshall | G. S Jones, | 1867 | 2,443 03 | 488 60 | | 4 90 | 37 18 | John Rodman. | 2,153 04 | 820 67 | |
| Nelson | T. W. Samuels, | 1867 | 2,861 10 | 572 22 | 204 19 | 3 10 | | | 3,068 39 | 572 22 | |
| Lyon | Jno. Boyd, | 1867 | 755 14 | 151 02 | 55 38 | 3 10 | 16 20 | John Rodman. | 829 82 | 151 02 | |
| Spencer | Thos. L. Floyd, | 1867 | 2,592 45 | 518 49 | 197 03 | 3 10 | 55 79 | John Rodman. | 3,366 86 | | |
| Washington | F. S. Hill, | 1867 | 2,443 67 | 488 73 | 169 92 | 3 10 | 52 25 | John Rodman. | 2,668 94 | 488 73 | |
| Graves | H. S. Hale, | 1867 | 1,017 62 | 203 52 | 67 78 | 3 10 | 21 20 | John Rodman. | 1,109 70 | 203 52 | |
| Carroll | M. T. Pryor, | 1868 | 4,159 54 | 831 90 | | 3 10 | | | 4,162 64 | 831 90 | |
| Estill | Jordan Neal, | 1868 | 3,934 37 | 786 87 | 264 17 | 3 70 | 83 97 | John Rodman. | 4,286 21 | 786 87 | |
| Metcalfe | J. H. Read, | 1868 | 2,870 73 | 574 14 | 187 24 | 3 10 | 61 15 | John Rodman. | 3,322 22 | 474 14 | |
| | | | | | | | 100 00 | Attorney's fee. | | | |
| Magoffin | B. F. Howard, | 1868 | 880 00 | 176 19 | 57 00 | 3 10 | 18 74 | | 1,179 31 | | |
| | | | | | | | 44 28 | Sheriff's com'n. | | | |
| McLean | T. M. Conditt, | 1868 | 3,216 11 | 643 22 | 207 62 | 3 10 | 68 45 | John Rodman. | 4,271 64 | | |
| | | | | | | | 133 14 | Sheriff's com'n. | | | |
| Josh Bell | R. A. Miracle, | 1868 | 370 68 | | 11 28 | 7 25 | 7 64 | | 396 85 | | |
| Rowan | B. T. Hayden, | 1868 | 1,177 27 | | 55 35 | 7 85 | 24 65 | John Rodman. | 1,265 12 | | |
| McCracken | J. C. Calhoun, | 1868 | 2,982 86 | 596 57 | 214 27 | 3 05 | 63 94 | John Rodman. | 3,264 12 | 596 57 | |
| Green | A. C. Cox, | 1868 | 833 10 | 166 62 | 62 14 | 3 10 | 17 90 | John Rodman. | 916 24 | 166 62 | |
| Spencer | Thos. L. Floyd, | 1868 | 1,588 91 | 317 78 | 80 95 | 3 10 | | | 1,672 96 | 317 78 | |
| Hart | B. F. Jameson, | 1868 | 1,751 56 | 350 31 | 143 07 | 3 10 | 33 89 | John Rodman. | 1,931 62 | 350 31 | |
| Clay | D. W. Murray, | 1868 | 1,024 50 | 204 90 | 83 04 | 3 10 | 22 17 | John Rodman. | 1,132 81 | 204 90 | |
| Marshall | H. M. Wade, | 1868 | 1,405 99 | 281 19 | 136 34 | 3 70 | 30 84 | John Rodman. | 1,576 87 | 281 19 | |
| Fulton | R. E. Millett, | 1868 | 951 31 | 190 26 | 88 75 | 3 70 | 20 80 | John Rodman. | 1,064 56 | 190 26 | |
| Pendleton | J. M. Curry | 1868 | 3,485 68 | 697 13 | 269 19 | 3 10 | 75 10 | John Rodman. | 3,833 07 | 697 13 | |
| Casey | Jno. Deaver, | 1868 | 263 77 | 52 75 | 57 08 | 3 70 | 7 47 | | 384 77 | | |
| Knox | Milton York, | 1868 | 109 42 | 21 88 | | 3 10 | | | 62 75 | 71 65 | |
| Jackson | Wm. Rader, | 1868 | 417 29 | 83 45 | | 5 35 | 8 35 | John Rodman. | 430 99 | 83 45 | |
| Letcher | S. Combs, | 1869 | 949 63 | 189 92 | 73 80 | 4 30 | 20 46 | John Rodman. | 1,048 19 | 189 92 | |
| Marshall | H. M. Wade, | 1869 | 3,719 33 | 743 86 | 266 19 | 3 70 | 79 70 | John Rodman. | 4,068 92 | 743 86 | |
| Rowan | B. T. Hayden, | 1869 | 812 01 | 162 40 | 89 11 | 4 30 | 18 02 | | 1,051 00 | 34 84 | |
| Clay | Haywood Gilbert, | 1869 | 1,101 34 | 220 26 | 146 77 | 3 70 | 24 96 | | 1,256 64 | 240 39 | |
| Warren | W. E. Duncan, | 1869 | 10,406 02 | 2,081 20 | 917 95 | 3 10 | 226 47 | John Rodman. | 11,553 54 | 2,081 20 | |
| Lewis | Saml' Ellis, | 1869 | 1,806 48 | 361 29 | 149 83 | 3 10 | 39 12 | Att. Gen. fee. | 1,963 77 | 396 05 | |
| Robertson | W. W. Burns, | 1869 | 1,111 10 | 222 22 | 141 65 | 3 10 | 25 05 | John Rodman. | 1,280 90 | 222 22 | |

List of Revenue Officers—Continued.

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Rowan | B. T. Hayden, | 1869 | 812 01 | 162 40 | 89 11 | 4 30 | 18 02 | | 1,051 00 | 34 84 |
| Clay | Haywood Gilbert, | 1869 | 1,101 34 | 220 26 | 146 77 | 3 70 | 24 96 | | 1,256 64 | 240 39 |
| Warren | W. E. Duncan, | 1869 | 10,406 02 | 2,081 20 | 917 95 | 3 10 | 226 47 | John Rodman. | 11,553 54 | 2,081 20 |
| Lewis | Saml' Ellis, | 1869 | 1,806 48 | 361 29 | 149 83 | 3 10 | 39 12 | Att. Gen. fee. | 1,963 77 | 396 05 |
| Robertson | W. W. Burns, | 1869 | 1,111 10 | 222 22 | 141 65 | 3 10 | 25 05 | John Rodman. | 1,280 90 | 222 22 |



## List of Revenue Officers—Continued.

| COUNTIES. | Officers against whom judgment has been obtained. | Amount of judgment obtained. | Amount of damages. | Amount of interest. | Amount of costs | Amount of Attorney's fees. | To whom paid. | Amount paid on judgment | Amount remaining unpaid. |
|---|---|---|---|---|---|---|---|---|---|
| Whitley | Wm. Cummins, 1869 | $193 95 | $38 78 | $26 49 | $3 10 | $4 35 | } | $279 87 | |
| | | | | | | 13 20 | } Sheriff's com'n. | | |
| Boone | W. A. Roberts, 1870 | 13,804 93 | 2,760 98 | | 4 30 | | | 7,331 10 | $9,239 11 |
| Lewis | Samuel Ellis, 1870 | 5,591 48 | 1,118 28 | 348 65 | 3 10 | 118 29 | John Rodman. | 6,061 52 | 1,118 28 |
| Whitley | Wm. Cummins, 1870 | 3,871 36 | 774 36 | 248 33 | 3 10 | 82 39 | } | 4,128 01 | 962 53 |
| | | | | | | 111 00 | } Sheriff's com'n. | | |
| Ohio | John P. Barrett, 1870 | 9,122 15 | 1,824 42 | | | | [Rodman. | 7,604 71 | 3,341 83 |
| Menifee | Jas. M. Greenwade, 1870 | 406 02 | 81 20 | 30 86 | 3 10 | 8 73 | $3 10 paid Jno. | 448 71 | 81 20 |
| Rowan | B. F. Hayden, 1870 | 230 79 | 46 14 | 16 46 | 3 10 | 6 20 | John Rodman. | 302 69 | |
| McCracken | J. C. Calhoun, 1870 | 8,739 41 | 1,747 88 | | 3 10 | | | | 10,490 39 |
| Warren | W. E. Duncan, 1870 | 13,605 17 | 2,721 02 | | 3 10 | | | 4,887 97 | 11,441 32 |
| Robertson | W. W. Burns, 1870 | 3,828 41 | 765 68 | | 4 30 | | | 2,329 25 | 2,269 14 |
| Butler | V. M. Deweese, 1870 | 319 85 | 63 96 | 28 12 | 3 10 | 6 92 | | 421 95 | |
| Mercer | W. E. Clelland, 1870 | 4,666 78 | 933 34 | 399 60 | 3 10 | 101 33 | | 5,170 81 | 933 34 |
| Pulaski | Allen Jones, 1870 | 2,334 85 | 466 96 | | 3 70 | | | 2,125 00 | 680 51 |
| Rockcastle | B. K. Betherum, 1867 | 763 88 | 153 76 | 114 39 | 3 70 | 17 67 | | 904 64 | 153 76 |
| Daviess | Jo. Thomas, T. J. F., | 1,308 25 | 261 65 | 1 74 | 3 10 | 26 16 | | 1,339 25 | 261 65 |
| Oldham | W. C. Mahan, T. J. F., | 529 94 | 105 98 | 57 81 | 7 30 | 16 75 | John Rodman. | 717 78 | |
| Henry | M. B. Pearce, Clerk, | 359 10 | 71 82 | 3 59 | 3 10 | 7 25 | John Rodman. | 373 04 | 71 82 |
| Washington | J. P. Barbour, Clerk, | 79 91 | 15 98 | 12 | 3 10 | 1 60 | John Rodman. | 100 71 | |
| Henry | E. P. Thomas, Clerk, | 643 97 | 128 79 | 20 45 | 4 30 | 13 29 | } | 832 71 | |
| | | | | | | 21 91 | } Sheriff's com'n. | | |
| McCracken | J. K. Lennom, Clerk, | 32 62 | 6 52 | 50 | 3 10 | 66 | John Rodman. | 43 40 | |
| Campbell | J. J. Thomas, Clerk, | 455 15 | 91 03 | 29 16 | 4 30 | 9 64 | | 498 25 | 91 03 |
| Campbell | Ed. Air, Clerk, | 810 05 | 162 01 | 9 99 | 3 10 | 16 40 | John Rodman. | 1,001 55 | |
| Logan | J. A. L. Boyer, Clerk, | 75 53 | 15 10 | 1 14 | 3 10 | 1 53 | John Rodman. | 96 40 | |
| Garrard | J. H. Yantis, T. J. F., | 167 05 | 33 41 | 3 06 | 3 10 | 3 40 | John Rodman. | 210 02 | |
| Henry | E. P. Thomas, Clerk, | 205 37 | 41 07 | 3 00 | 3 10 | 4 16 | } | 269 53 | |
| | | | | | | 12 83 | } Sheriff's com'n. | | |
| Henry | E. P. Thomas, Clerk, | 187 65 | 37 53 | 8 12 | 3 70 | 3 91 | John Rodman. | 240 91 | |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Campbell | Ed. Air, Clerk, | 174 70 | 34 90 | 4 85 | 3 10 | 3 59 | } | | 2,330 11 | |
| | | | | | | 8 97 | } | Sheriff's com'n. | | |
| Washington | R. S. Peters, Clerk, | 343 18 | 63 65 | 29 17 | 3 70 | 8 30 | | John Rodman. | 453 00 | |
| Washington | R. S. Peters, T. J. F., | 398 72 | 79 74 | | 3 10 | | | | | 481 56 |
| Daviess | Jo. Thomas, T. J. F., | 1,228 28 | 245 65 | 64 07 | 3 70 | 56 02 | } | Sheriff's com'n. | 1,623 56 | |
| | | | | | | 25 84 | } | | | |
| Henry | E. P. Thomas, Clerk, | 273 38 | 54 67 | 51 24 | 5 40 | 6 49 | | John Rodman. | 391 18 | |
| Henry | E. P. Thomas, Clerk, | 443 65 | 88 73 | 24 57 | 5 40 | 9 36 | | John Rodman. | 571 71 | |
| Daviess | J. P. Thompson, T. J. F. | 2,817 27 | 563 45 | | 4 30 | | | | 117 94 | 3,267 08 |
| Jefferson | T. Jack Conn, Clerk, | 13,280 87 | | 1,188 89 | 4 30 | 289 42 | | | 14,311 00 | 452 48 |
| Jefferson | T Jack Conn, Clerk, | 903 85 | 180 77 | 12 35 | 3 10 | 18 32 | | | | 1,118 39 |
| Henry | E P. Thomas, Clerk, | 203 22 | 46 64 | 6 13 | 3 10 | None. | | | 253 09 | |
| Henry | E. P. Thomas, Clerk, | 431 30 | 86 26 | | 3 10 | | | | | 520 66 |
| | | $368,631 33 | $65,049 83 | $22,952 86 | $496 95 | $7 430 62 | | | $357,718 71 | $106,842 88 |

* Compromised under act 16th March, 1869.
† Worthless.

RECAPITULATION.

| | | |
|---|---|---|
| Amount of judgments obtained | | $368,631 33 |
| Amount of damages | | 65,049 83 |
| Amount of interest | | 22,952 86 |
| Amount of cost | | 496 95 |
| Amount paid Attorney General's fees | $5,202 20 | |
| Amount unpaid Attorney General's fees | 685 54 | |
| Amount Sheriff's commissions | 654 33 | |
| Amount of Attorney's fees | 888 55 | |
| | | 7,430 62 |
| Making | | $464,561 59 |
| Amount paid on judgments | $357,718 71 | |
| Amount remaining unpaid | 106,842 88 | |
| | | $464,561 59 |

Attest: D. HOWARD SMITH, *Auditor*

*Ordered*, That the Public Printer print the usual number of copies for the use of this House, and that the same be referred to the Committee on Ways and Means.

The following petitions and remonstrances were presented, viz:

By Mr. Corbett—

1. The petition of sundry citizens of Ballard county, praying the passage of an act to change a school district in McCracken and Ballard counties.

By same—

2. The petition of same, praying the passage of an act for the benefit of school districts Nos. 17 and 19, in said counties.

By Mr. Graves—

3. The petition of certain citizens of New Market, Marion county, praying for the repeal of their town charter.

By Mr. Powell—

4. The remonstrance of certain citizens of Berea, Madison county, against an act of incorporation of said town.

By Mr. Tucker—

5. The remonstrance of citizens of Aaron's Run, against the passage of an act to repeal the prohibitory law applicable thereto.

By same—

6. The petition of certain citizens of Montgomery county, praying for aid, by legislation, in passing on turnpike roads to church toll free.

By same—

7. The petition of citizens of Howard's Mill and vicinity, praying the passage of a prohibitory liquor law at said place, or within a radius of two miles thereof.

By Mr. Speaker (McCreary)—

8. The petition of citizens of Foxtown precinct, in Madison county, praying the passage of a certain act therein named.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Education; the 3d to the Committee on the Judiciary; the 4th and 6th to the Committee on Corporate Institutions; and the 5th, 7th, and 8th to the Committee on Religion.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act authorizing the trustees of the Baptist Church of Lick Creek, in Gallatin county, to sell and convey certain land belonging to said church;

An act for the benefit of school district No. 26, in Nicholas county;

An act in relation to the sale of spirituous liquors in Owsley county;

An act authorizing the trustees of Bardstown to levy a tax for the purpose of purchasing a school-house;

An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof;

An act amending an act, entitled "An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown;"

An act to amend an act, entitled "An act to revise the laws relating to the public schools and academy of the city of Newport," approved February 17, 1860;

An act for the benefit of the Female Seminary of the city of Paducah;

An act for the benefit of the University of the city of Paducah;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Danville and Nashville Railroad Company;

An act for the benefit of the Cleaveland Orphan Asylum;

An act for the benefit of John B. Greenwell, of Owen county;

An act to authorize the clerk of the Todd county court to make a cross-index to all the deeds in his office;

An act to authorize J. D. Cumbie to change the direction of the State road running through his lands, in Todd county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

Mr. McAfee, from the Committee on Military Affairs, who were directed to prepare and bring in the same, reported

A bill to pay military claims reported by the Quarter-Master General.

Which was read the first time as follows, viz:

Whereas, The General Assembly, by acts approved February 17, 1866, March 9th, 1867, and March 16, 1869, provided for the auditing of certain military claims against the State of Kentucky, with a view to their collection from the United States; and whereas, the Quarter-Master General has made report to this Legislature, at its present session, that there are claims now on file in his office, properly proven and authenticated as the said enactments require,

amounting to the sum of $4,768 72, which is the full balance of all outstanding dues for military operations during the late civil war; therefore, in order to carry out the purposes of the above recited enactments of the General Assembly, and to pay off said claims, and thereby make an end to this class of indebtedness on the part of the State,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Public Treasury in payment of said claims so reported by the Quarter-Master General: *Provided*, The same shall be paid out of the first moneys received from the United States on account of the war claim now due the State of Kentucky.

§ 2. The Quarter-Master General is hereby directed to cause the said claims, when so paid, to be made up into an installment of the war claim, and presented to the General Government for reimbursement.

*Ordered*, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Julian N. Phelps, |
| Wm. A. Allen, | James B. Fitzpatrick, | Lewis Potter, |
| George W. Anderson, | C. D. Foote, | Hiram S. Powell, |
| A. S. Arnold, | Joseph P. Foree, | W. L. Reeves, |
| W. W. Ayers, | E. A. Graves, | E. A. Robertson, |
| Alpheus W. Bascom, | C. P. Gray, | John Rowan, |
| W. N. Beckham, | Clinton Griffith, | John P. Rowlett, |
| S. C. Bell, | Wm. A. Hoskins, | J. P. Sacksteder, |
| J. C. S. Blackburn, | George M. Jessee, | J. R. Sanders, |
| Church H. Blakey, | E. Polk Johnson, | C. C. Scales, |
| Wm. F. Bond, | T. M. Johnson, | William Sellers, |
| W. B. M. Brooks, | T. J. Jones, | James W. Snyder, |
| Thomas P. Cardwell, | L. W. Lassing, | J. S. Taylor, |
| Robert M. Carlisle, | J. S. Lawson, | George M. Thomas, |
| John S. Carpenter, | G. W. Little, | C. W. Threlkeld, |
| George Carter, | J. J. McAfee, | Harry I. Todd, |
| B. E. Cassilly, | Bryan S. McClure, | L. W. Trafton, |
| J. Guthrie Coke, | William J. McElroy, | Joseph T. Tucker, |

| | | |
|---|---|---|
| Wm. G. Conrad, | T. J. Megibben, | T. W. Varnon, |
| R. D. Cook, | J. C. Moorman, | E. F. Waide, |
| R. L. Cooper, | W. A. Morin, | Mordecai Williams, |
| Thomas H. Corbett, | Wm. Mynhier, | F. A. Wilson, |
| J. E. Cosson, | J. L. Nall, | S. H. Woolfolk, |
| John W. Dyer, | John W. Ogilvie, | J. M. Wright—72. |

Those who voted in the negative, were—

A. C. Armstrong, R. Tarv. Baker—2.

*Resolved*, That the title of said bill be as aforesaid.

Mr. McAfee, from the Committee on Military Affairs, to whom was referred a bill from the Senate, entitled

An act in relation to the office of the Quarter-Master General,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Quarter-Master General's office be, and is hereby, continued upon its present footing, with the same clerical force, and at the same salaries, for the period of two years from and after the 16th day of February, 1872.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | John W. Ogilvie, |
| Wm. A. Allen, | M. Woods Ferguson, | Julian N. Phelps, |
| George W. Anderson, | C. D. Foote, | Lewis Potter, |
| A. C. Armstrong, | Joseph P. Foree, | Hiram S. Powell, |
| A. S. Arnold, | E. A. Graves, | W. L. Reeves, |
| Alpheus W. Bascom, | C. P. Gray, | E. A. Robertson, |
| W. N. Beckham, | Clinton Griffith, | John Rowan, |
| S. C. Bell, | Wm. A. Hoskins, | John P. Rowlett, |
| J. C. S. Blackburn, | George M. Jessee, | J. P. Sacksteder, |
| Church H. Blakey, | E. Polk Johnson, | J. R. Sanders, |
| Wm. F. Bond, | Thos. M. Johnson, | C. C. Scales, |
| W. B. M. Brooks, | T. J. Jones, | James W. Snyder, |
| Robert M. Carlisle, | L. W. Lassing, | J. S. Taylor, |
| John S. Carpenter, | J. S. Lawson, | C. W. Threlkeld, |
| George Carter, | J. J. McAfee, | Harry I. Todd, |
| B E. Cassilly, | Bryan S. McClure, | Joseph T. Tucker, |
| C. M. Clay, jr., | M. E. McKenzie, | T. W. Varnon, |
| J. Guthrie Coke, | T. J. Megibben, | E. F. Waide, |
| William G. Conrad, | J. C. Moorman, | Mordecai Williams, |
| R. L. Cooper, | W. A. Morin, | F. A. Wilson, |

| | | |
|---|---|---|
| Thomas H. Corbett, | Wm. Mynhier, | S. H. Woolfolk, |
| W. W. Deaderick, | J. L. Nall, | J. M. Wright—66. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | Wm. Cassius Goodloe, | Mat. Nunan, |
| James S. Chrisman, | G. W. Little, | Wm. Sellers, |
| R. D. Cook, | J. A. McCampbell, | George M. Thomas, |
| W. H. Evans, | Wm. J. McElroy, | J. N. Woods—12. |

*Resolved*, That the title of said bill be as aforesaid.

Mr. McAfee, from the Committee on Military Affairs, who were directed to prepare and bring in the same, reported

A bill uniting the offices of Adjutant General and Quarter-Master General.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Arnold offered the following resolution, viz:

*Resolved*, That the Governor of this Commonwealth be requested to furnish this House with the number of fines remitted by him and his predecessor for the period of three years last past.

Mr. Blackburn proposed to amend said resolution by adding thereto the following, viz:

That he shall also furnish the amount of all fines remitted by the Executives of this Commonwealth since the 1st day of January, 1820, and require all petitions and papers upon which such Executive action was based.

Mr. Waide then moved to lay the resolution and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Arnold, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Joseph M. Davidson, | E. A. Robertson, |
| R. Tarv. Baker, | John W. Dyer, | John P. Rowlett, |

| | | |
|---|---|---|
| W. N. Beckham, | M. Woods Ferguson, | J. P. Sacksteder, |
| J. C. S. Blackburn, | James B. Fitzpatrick, | J. R. Sanders, |
| Wm. F. Bond, | George M. Jessee, | James W. Snyder, |
| Thomas P. Cardwell, | T. M. Johnson, | J. S. Taylor, |
| Robert M. Carlisle, | T. J. Jones, | Joseph T. Tucker, |
| John S. Carpenter, | William J. McElroy, | T. W. Varnon, |
| B. E. Cassilly, | T. J. Megibben, | E. F. Waide, |
| J. Guthrie Coke, | J. C. Moorman, | Mordecai Williams, |
| Wm. G. Conrad, | W. A. Morin, | F. A. Wilson—35. |
| R. L. Cooper, | Wm. Mynhier, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Lewis Potter, |
| Wm. A. Allen, | C. D. Foote, | Hiram S. Powell, |
| A. S. Arnold, | Wm. Cassius Goodloe, | W. L. Reeves, |
| W. W. Ayers, | C. P. Gray, | John Rowan, |
| John A. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| S. C. Bell, | E. Polk Johnson, | William Sellers, |
| Church H. Blakey, | J. S. Lawson, | George M. Thomas, |
| W. B. M Brooks, | G. W. Little, | C. W. Threlkeld, |
| George Carter, | J. J. McAfee, | Harry I. Todd, |
| James S. Chrisman, | J. A. McCampbell, | C. H. Webb, |
| C. M. Clay, jr., | Bryan S. McClure, | J. M. White, |
| R. D. Cook, | J. L. Nall, | J. N. Woods, |
| Thomas H. Corbett, | Mat. Nunan, | S. H. Woolfolk, |
| J. E. Cosson, | John W. Ogilvie, | J. M. Wright—44. |
| W. W. Deaderick, | Julian N. Phelps, | |

The amendment offered by Mr. Blackburn was then rejected.

Mr. Chrisman then moved to amend said resolution by adding the words "and judgments respited" after the word "remitted."

Mr. F. A. Wilson then offered the following substitute for the original resolution and proposed amendment, viz:

*Resolved*, That the Governor be required to present to the Legislature a list of the remittance of fines since the admission of the State into the Union, together with all the evidence by which they were remitted.

The hour of 10½ o'clock, A. M., having arrived, the further consideration of said resolution and amendments was cut off by the special order.

And thereupon Mr. Chrisman moved to postpone the consideration of the special order until the call of the counties was completed.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anderson and Waide, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | Mat. Nunan, |
| Wm. A. Allen, | W. H. Evans, | John W. Ogilvie, |
| A. S. Arnold, | James B. Fitzpatrick, | Julian N. Phelps, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| John A. Bell, | E. A. Graves, | E. A. Robertson, |
| S. C. Bell, | C. P. Gray, | John Rowan, |
| Church H. Blakey, | Clinton Griffith, | J. P. Sacksteder, |
| W. B. M. Brooks, | Wm. A. Hoskins, | William Sellers, |
| Thomas P. Cardwell, | Thos. M. Johnson, | James W. Snyder, |
| Robert M. Carlisle, | T. J. Jones, | J. S. Taylor, |
| George Carter, | J. S. Lawson, | G. M. Thomas, |
| B. E. Cassilly, | G. W. Little, | C. W. Threlkeld, |
| James S. Chrisman, | J. J. McAfee, | T. W. Varnon, |
| Wm. G. Conrad, | J. A. McCampbell, | C. H. Webb, |
| R. D. Cook, | Bryan S. McClure, | J. M. White, |
| R. L. Cooper, | Wm. J. McElroy, | J. N. Woods, |
| J. E. Cosson, | J. C. Moorman, | S. H. Woolfolk—51. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | W. W. Deaderick, | J. R. Sanders, |
| A. C. Armstrong, | M. Woods Ferguson, | C. C. Scales, |
| W. W. Ayers, | C. D. Foote, | L. W. Trafton, |
| R. Tarv. Baker, | George M. Jessee, | Joseph T. Tucker, |
| J. C. S. Blackburn, | T. J. Megibben, | E. F. Waide, |
| Wm. F. Bond, | W. A. Morin, | Mordecai Williams, |
| John S. Carpenter, | Wm. Mynhier, | F. A. Wilson, |
| Thomas H. Corbett, | Lewis Potter, | J. M. Wright—25. |
| Joseph M. Davidson, | | |

Resuming the consideration of said resolution and proposed amendments, the question was then taken on the substitute proposed by Mr. F. A. Wilson, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Chrisman, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and Arnold, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | W. A. Morin, |
| Wm. A. Allen, | W. H. Evans, | J. L. Nall, |
| A. C. Armstrong, | C. D. Foote, | Mat. Nunan, |
| A. S. Arnold, | Wm. Cassius Goodloe, | John W. Ogilvie, |
| W. W. Ayers, | E. A. Graves, | Julian N. Phelps, |
| J. A. Bell, | Clinton Griffith, | Hiram S. Powell, |
| S. C. Bell, | Wm. A. Hoskins, | E. A. Robertson, |
| W. B. M. Brooks, | J. S. Lawson, | Wm. Sellers, |
| George Carter, | G. W. Little, | George M. Thomas, |
| James S. Chrisman, | J. J. McAfee, | C. W. Threlkeld, |
| C. M. Clay, jr., | J. A. McCampbell, | C. H. Webb, |

| | | |
|---|---|---|
| R. D. Cook, | Bryan S. McClure, | J. M. White, |
| Thomas H. Corbett, | William J. McElroy, | J. N. Woods, |
| J. E. Cosson, | J. C. Moorman, | S. H. Woolfolk—42. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | James B. Fitzpatrick, | J. R. Sanders, |
| R. Tarv. Baker, | Joseph P. Foree, | C. C. Scales, |
| W. N. Beckham, | George M. Jessee, | James W. Snyder, |
| J. C. S. Blackburn, | E. Polk Johnson, | J. S. Taylor, |
| Wm. F. Bond, | T. M. Johnson, | L. W. Tratton, |
| John S. Carpenter, | T. J. Jones, | Joseph T. Tucker, |
| B. E. Cassilly, | T. J. Megibben, | T. W. Varnon, |
| William G. Conrad, | Wm. Mynhier, | E. F. Waide, |
| R. L. Cooper, | Lewis Potter, | Mordecai Williams, |
| Joseph M. Davidson, | John Rowan, | F. A. Wilson, |
| John W. Dyer, | J. P. Sacksteder, | J. M. Wright—34. |
| M. Woods Ferguson, | | |

And the question being taken on the adoption of said resolution, as amended, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Waide and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | Mat. Nunan, |
| Wm. A. Allen, | J. E. Cosson, | John W. Ogilvie, |
| A. S. Arnold, | W. H. Evans, | Julian N. Phelps, |
| W. W. Ayers, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| John A. Bell, | E. A. Graves, | John Rowan, |
| S. C. Bell, | Wm. A. Hoskins, | Wm. Sellers, |
| W. B. M. Brooks, | L. W. Lassing, | George M. Thomas, |
| Robert M. Carlisle, | J. S. Lawson, | C. W. Threlkeld, |
| George Carter, | G. W. Little, | Harry I. Todd, |
| James S. Chrisman, | J. A. McCampbell, | C. H. Webb, |
| J. Guthrie Coke, | Bryan S. McClure, | J. N. Woods, |
| R. D. Cook, | W. A. Morin, | S. H. Woolfolk—36. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | C. D. Foote, | Lewis Potter, |
| A. C. Armstrong, | Joseph P. Foree, | E. A. Robertson, |
| R. Tarv. Baker, | C. P. Gray, | J. P. Sacksteder, |
| W. N. Beckham, | Clinton Griffith, | J. R. Sanders, |
| J. C. S. Blackburn, | George M. Jessee, | C. C. Scales, |
| Church H. Blakey, | E. Polk Johnson, | James W. Snyder, |
| John S. Carpenter, | T. M. Johnson, | J. S. Taylor, |
| B. E. Cassilly, | T. J. Jones, | L. W. Tratton, |
| Wm. G. Conrad, | J. J. McAfee, | Joseph T. Tucker, |
| R. L. Cooper, | Wm. J. McElroy, | T. W. Varnon, |
| Joseph M. Davidson, | M. E. McKenzie, | E. F. Waide, |
| W. W. Deaderick, | T. J. Megibben, | J. M. White, |
| John W. Dyer, | J. C. Moorman, | Mordecai Williams, |

M. Woods Ferguson, Wm. Mynhier, F. A. Wilson,
James B. Fitzpatrick, J. L. Nall, J. M. Wright—45.

And so said resolution was rejected.

Mr. Graves read and laid on the table the following preamble and resolutions, viz:

WHEREAS, We hold that all political power is inherent in the people, and free government founded on their authority and established for their benefit. That all citizens are equal in political rights, entitled to the largest religious and political liberty compatible with the good order of society, as also the use and enjoyment of the fruits of their labor and talents; and no man, or set of men, is entitled to exclusive separable endowments and privileges, or immunities from the government, but in consideration of public services; and any laws destructive of these fundamental principles are without moral binding force, and should be repealed. And believing that all the evils resulting from unjust legislation now affecting the industrial classes can be removed by the adoption of the principle contained in the following declaration; therefore,

1. *Resolved*, That it is the duty of the government to establish a just standard of distribution of capital and labor by providing a purely national circulating medium, based on the faith and resources of the nation, issued directly to the people, without the intervention of any system of banking corporations, which money shall be legal tender in the payment of all debts, public and private, and interchangeable at the option of the holder for government bonds, bearing a rate of interest not to exceed — per cent., subject to future legislation by Congress.

2. That the national debt should be paid in good faith according to the original contract, at the earliest option of the government, without mortgaging the property of the people or the future exigencies of labor to enrich a few capitalists at home and abroad.

3. That justice demands that the burdens of government should be so adjusted as to bear equally on all classes, and that the exemption from taxation of government bonds bearing extravagant rates of interest is a violation of all just principles of revenue laws.

4. That the public lands of the United States belong to the people, and should not be sold to individuals nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted to landless settlers only, in amounts not exceeding 160 acres of land.

5. That Congress should modify the tariff so as to admit free such articles of common use as we can neither produce nor grow, and lay duties for revenue mainly upon articles of luxury, and upon such articles of manufacture as will, we having the raw materials, assist in further developing the resources of the country.

6. That the presence in our country of Chinese laborers, imported by capitalists in large numbers for servile use, is an evil, entailing want and its attendant train of misery and crime on all classes of the American people, and should be prohibited by legislation.

7. That the protection of life, liberty, and happiness, are the three cardinal principles of government, and the first two are more sacred than the latter; therefore, money used for prosecuting wars should, as it is required, be assessed and collected from the wealthy of the country, and not entailed as a burden on posterity.

8. That there should be such reform in the civil service of the National Government as will remove it beyond all partisan influence, and place it in the charge and under the direction of intelligent and competent business men.

9. That as both history and experience teach us that power ever seeks to perpetuate itself by every and all means, and that its prolonged possession in the hands of one person is always dangerous to the interests of a free people, and believing that the spirit of our organic laws, and the stability and safety of our free institutions are best obeyed on the one hand, and secured on the other, by a regular constitutional change in the chief of the country at each election; therefore, we are in favor of limiting the occupancy of the Presidential chair to one term.

10. That we are in favor of granting general amnesty and restoring the Union at once on the basis of equality of rights and privileges to all, the impartial administration of justice being the only true bond of union to bind the States together and restore the people of the government.

*Ordered*, That the same be referred to the Committee on Federal Relations.

Mr McAfee, from the Committee on Military Affairs, to whom was referred a memorial of citizens of Franklin and other counties, on the subject of certain alleged outrages therein, presented the following report, viz:

The Committee on Military Affairs, to whom was referred the memorial of a number of citizens of Franklin county, complaining of outrages committed within the limits of said county by unlawful bands of men, respectfully report, that they have been in session every day for a period of about three weeks, having under investigation the matters referred to them. They have examined a large number of witnesses, both white and black, including not only those who could testify to facts of their own knowledge, but also many others who had investigated the subject of alleged outrages, and whose conclusions and opinions were, in the opinion of the committee, entitled to consideration. The greater part of the testimony received by the committee was not positive, but was circumstantial in character, and much of it was hearsay evidence—the broadest latitude having been given to the examination—the desire of the committee having been to obtain all the information that would throw any light on the subject under investigation. After patient

hearing, and full consideration of all the evidence and suggestions presented to them, the committee have arrived at the following facts and conclusions:

A number of gross injuries to the persons and property of citizens of Franklin county have been perpetrated by armed and disguised bodies of men, unlawfully banded together. These bands generally move in bodies of from ten to twenty, and their operations are generally confined to the night time. All the indications are, that they are of a low and illiterate class of white men. They are generally mounted, and appear to disperse as soon as the immediate purpose of their combination has been accomplished. Their disguises appear to have been sufficient, in most of the cases brought to the knowledge of the committee, to prevent their full identification; but, in many instances, the identity of the intruder has been suspected from a supposed recognition of the voice. It has, however, been stated to the committee on the very highest authority, that many men who have engaged in these unlawful acts are well known.

The investigations of the committee have extended back over a period of from fifteen to eighteen months, and most of the cases brought to their notice occurred during the remotest period to which their investigations have been extended. The injuries referred to have not been confined to any one class of citizens; but, in the majority of instances of visits from these bands of men, the parties visited were colored people. In perhaps every such case a demand has been made for arms, and in the search for arms the intruders have ransacked the premises, and, in many instances, forcibly taken small articles of property, and sometimes food. In some cases these parties, in effecting a forcible entrance to houses, have broken down doors, and have wantonly injured and destroyed property. Men have been visited at night, forcibly removed from their homes, and severely whipped; and, in one instance, two colored men were ducked in a neighboring stream in extremely cold weather. In other instances men have been notified to leave the neighborhood within a given time, and, in consequence of such notification, many of them precipitately abandoned their homes, often leaving their property without protection. In one instance narrated to the committee, it appears that a young colored girl was ravished by one of a small party of disguised men; but the father of the victim testified that, in his belief, this party was not the same, nor of the same character, as those who have committed the alleged outrages which the com-

mittee have had under investigation. The same witness also testified that the men who he suspected of having committed or participated in this crime were, in consequence of this and other outrageous conduct, subsequently driven out of the country. The committee have had other instances of ravishment reported to them, but it has not been made to appear that they were anything but isolated cases of the commission of this crime, which are of exceptional occurrence in every community. It appears that the violence of these bands has extended in some cases to shooting and wounding, and occasionally, in cases of resistance to their demands, even to killing the victims of their lawlessness. It is proper to state, that, in at least one of the cases of reported outrages by these bands, it turned out on investigation that the only foundation for the report was the visit of a number of young men in disguise to the house of a neighbor, on the occasion of a wedding party, merely for purposes of amusement.

The characters of the colored people who have been thus maltreated appear to have been both good and bad. Disorderly colored men, who appear to have annoyed the neighborhood in which they lived, have been whipped and driven off by these bands. But many colored men and women of good character have, by threats and intimidation from these unlawful bands, been forced or induced to leave their homes for places of better security.

Where personal injury, by actual or threatened violence, has been inflicted on white men, it appears that the victim has been generally a person of bad or doubtful character, or one who has committed some offense against the order or morals of his neighborhood, that has called down upon him the unlawful retribution meted out by these bands of men.

But many of the most law-abiding and respectable white citizens of Franklin county have been interfered with in a manner to indicate that there was some other cause than personal hostility. In some cases, however, such citizens have been subjected to annoyances of this kind, which appear to have been committed in revenge for open and public denunciation of the unlawful acts of these disturbers of the public peace. Many of the most respectable white citizens have, in personal visits, ofter attended by rude and boisterous conduct, been notified to discharge all their colored employees and servants. In other cases, these notifications have been made through means of anonymous letters and posted notices. There is also evidence tending to show that property of such citizens has

been injured or destroyed, because they appeared reluctant to comply with these orders, or too loudly denounced them.

The effect of these unlawful combinations and acts has been to drive away all the colored labor from some sections of Franklin county, and to make it difficult to obtain labor of any kind. The opinion of the witnesses generally is, also, that the effect has been to depreciate the value of lands. It is evident, also, that, from the same cause, farming operations and business of all kinds in the most disordered portions of the county have been materially injured, and in some cases completely paralyzed.

The committee are of the opinion that these unlawful acts are committed by organized bands of outlaws, who do not remain together, but gather for a special purpose, and when that purpose is accomplished, quietly disperse. These organizations, as proved by the testimony of all the witnesses, are not of a political character. The men who have suffered from these predatory acts are Democrats and Republicans, former Union men and former Confederates.

After a thorough sifting and analysis of all the evidence adduced, and a full and careful consideration of the opinions and suggestions of intelligent witnesses of high character, who have investigated these disturbances and given thought to them, the committee are of the opinion that these organizations had their inception in the disordered state of the country consequent upon the late war, and were originally intended to suppress anticipated disturbances among the emancipated slaves, and to summarily punish the unlawful acts of bad white men. This condition of affairs afforded an opportunity to evil disposed white men to engage in unlawful acts, under the guise of these organizations, for the gratification of private vengeance, the indulgence of their prejudices against, and jealousy of, free negro labor, and for an opportunity for plunder.

The original character and purpose of these organizations were soon abandoned. Such citizens as had gone into them merely from a mistaken sense of what was necessary to the preservation of the peace, soon left them; but the evil consequences of this assumption of the law remained in the shape of the irresponsible and plundering bands of outlaws who have been and are now exercising a reign of terror in portions of Franklin county. The committee do not make this statement as an excuse for these organizations, or as a palliation of their unlawful acts. The statement is made only

as an explanation of the character and the purposes of the recent or present organizations.

The fact that, in some cases, where these unlawful bands have taken the law in their own hands, the objects of their vengeance have been men who have committed offenses against the public peace, or have been persons of dangerous character, or bad reputation, has induced an indifference among the better part of the community that has produced the effect of apathy in all efforts to suppress disorder. This cause, together with apprehension of danger to those who might interest themselves actively in denouncing and opposing disturbances of the kind referred to, appear to have deterred any attempt at the suppression of disorder through the instrumentality of the moral force of the community. But whatever may be the cause, the fact is established that all attempts to hold public meetings in Franklin county to denounce the prevailing lawlessness, or to put it down by force, have signally failed.

The fact appears that the present constituted civil authorities of Franklin county have not succeeded in preserving the peace of the county. The committee have given full weight to the difficulties under which the civil authorities have labored; but from a careful consideration of all the evidence before them, the committee are forced to the opinion that the authorities of Franklin county have not exercised that diligence in the investigation of offenses against the public peace, and in the discovery of the offenders, that the disordered condition of the county demanded.

The committee have carefully considered the question of an appropriate remedy for the existing evils. As these unlawful bands appear to be mere local organizations, who gather quickly and disperse as soon as the immediate purpose of their gathering is accomplished, an organized force of conservators of the peace moving in a body could not be operated effectively against them. Many persons who have been strongly suspected of complicity in these outrages have never been arrested, or questioned, or any investigation had of their suspected offenses. The committee are assured on the highest authority that, in many cases where disorders of this kind have existed, the disturbers of the public peace are well known to the public, and to the officers of the law. The committee, therefore, can see no necessity for creating any special secret service department to ferret out the parties who are suspected, and they are of the opinion that the present appliances of the law, if used

with energy and discretion, are sufficient for the investigation of all offenses, and the discovery of the offenders.

The recently enacted law making persons of color competent witnesses, and parties in interest competent to testify in their own behalf, will undoubtedly have a salutary effect in diminishing the number of these outrages. But the committee are of the opinion that the true and only remedy for the present condition of affairs, wherever there is disorder in our State, is in the enforcement of the law. The committee attribute much of the lawlessness in this Commonwealth to the loose administration of our criminal laws within the past few years.

If our judges will do their whole duty in forming their grand juries, and in properly instructing them, and compelling a performance of their duties, and the grand juries will use the diligence that this committee has used in the investigation of these alleged outrages, many of the mysteries of the so-called Ku-Klux will be dispelled, and sufficient evidence may be discovered upon which to base more indictments.

If, when indictments have been found, or when outrages have been committed, our officers of the law would remember that they are conservators of the peace, as well as collectors of taxes and fee bills, more arrests may be made. If, when violators of the public peace have been convicted by a jury of their country, the law is permitted to take its course, without the too indulgent interference of executive clemency, the majesty of the law may be enthroned upon a firmer seat. When the officers of the law enforce the law, the moral force of the law-abiding portion of the community will have full play, and will be able to suppress, by mere denunciation, and attempt at such systematic and wholesale outrages as now disgrace our Commonwealth.

The present provisions of the law appear to be sufficient to cover all the offenses of which these unlawful bands are guilty, except that of sending anonymous threatening letters, or posting threatening notices, and intimidating quiet and law-abiding people by riding about armed and disguised. The committee, therefore, recommend that the matter be referred to the Committee on the Judiciary, with instructions to prepare and report a bill covering these, or other defects, if any, relating to the same subject, in our criminal laws.

J. J. McAFEE, *Chairman.*
THOS. M. JOHNSON,
JOHN W. DYER,
J. M. WRIGHT,
G. M. JESSEE,
WM. MYNHIER,
W. A. HOSKINS.

*Ordered*, That the usual number of copies of said report be printed, and that the same be referred to the Committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bascom—

1. A bill to incorporate the Valley City Water Company.

On motion of Mr. Lassing—

2. A bill for the benefit of John L. Holder, of Kenton county.

On motion of same—

3. A bill to amend an act for the benefit of Boone county, approved January 30th, 1871.

On motion of Mr. Williams—

4. A bill for the benefit of Stephen Nethercutt, of Carter county.

On motion of Mr. Hoskins—

5. A bill to incorporate the Cumberland River and Big Sandy Railroad Company.

On motion of Mr. Cardwell—

6. A bill for the benefit of Wm. Allen.

On motion of Mr. J. R. Sanders—

7. A bill to amend the charter of the Eagle Creek and Ghent Turnpike Road Company.

On motion of Mr. Goodloe—

8. A bill to amend sub-section 1 of section 1, article 2, chapter 47, of the Revised Statutes.

On motion of Mr. Todd—

9. A bill to change the time of holding the February term of the Franklin circuit court.

On motion of Mr. Sellers—

10. A bill to increase the jurisdiction of the judge of the quarterly court of Garrard county.

On motion of Mr. Jones—

11. A bill to change the time of the meeting of the Legislature.

On motion of Mr. Snyder—

12. A bill for the benefit of school district No. 3, in Hancock county.

On motion of Mr. Megibben—

13. A bill to amend the charter of the city of Cynthiana.

On motion of same—

14. A bill to protect sheep in Harrison county.

On motion of same—

15. A bill to extend and build turnpike roads in Harrison county.

On motion of Mr. Arnold—

16. A bill to enable the sheriff of Hickman county to collect the revenue.

On motion of Mr. Carlisle—

17. A bill to authorize the members of the bar of the county court of Kenton county to elect a special judge of said court in the absence of the regular judge of said court.

On motion of Mr. Thomas—

18. A bill to authorize the trustees of school district No. 8, in Lewis county, to levy a tax to build a school-house in said district.

On motion of Mr. Varnon—

19. A bill to amend the charter of the Stanford Cemetery Company.

On motion of Mr. Blakey—

20. A bill to incorporate the Good Templars' Aid Society.

On motion of same—

21. A bill to incorporate the Christian Church of Russellville.

On motion of Mr. Sacksteder—

22. A bill to amend an act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies, approved March 15, 1870.

On motion of Mr. Coke—

23. A bill to amend the charter of the Elizabethtown and Paducah Railroad Company.

On motion of Mr. Graves—

24. A bill to charter St. Augustine's Cemetery, near Lebanon.

On motion of Mr. Ogilvie—

25. A bill to incorporate the Paducah and Mayfield Gravel Road Company.

On motion of same—

26. A bill to incorporate the Southwestern Kentucky Agricultural and Stock Raising Association.

On motion of Mr. Allen—

27. A bill for the benefit of the late sheriff of Meade county.

On motion of Mr. Bailey—

28. A bill to regulate the sale of liquors in Webster county.

On motion of Mr. Moorman—

29. A bill to increase the county levy of Webster county for bridge rppuoses.

On motion of Mr. Waring—

30. A bill to amend the charter of the Maysville and Big Sandy Railroad Company.

On motion of Mr. Taylor--

31. A bill to raise the magistrates' jurisdiction in the counties of Ohio, Hancock, and Muhlenburg.

On motion of Mr. Tarlton—

32. A bill to incorporate the Jefferson, Oldham, and Westport Turnpike Company.

On motion of Mr. Threlkeld—

33. A bill to amend the charter of the New Liberty Branch Turnpike Road.

On motion of Mr. Deaderick—

34. A bill for the benefit of Aaron Thrasher.

On motion of Mr. J. A. Bell—

35. A bill to regulate the fees of quarterly court clerks in appeal cases.

On motion of same—

36. A bill to regulate the fees of justices of the peace.

On motion of Mr. Nunan—

37. A bill to amend the charter of the town of Springfield.

On motion of Mr. Little—

38. A bill to incorporate the Clear Fork Lumber and Mining Company, in Whitley county.

On motion of same—

39. A bill to create magisterial district No 10, in Whitley county.

On motion of Mr. Deaderick—

40. A bill to change the time of holding the county courts in the counties of Pendleton and Grant.

On motion of Mr. Jessee—

41. A bill to incorporate the Lockport and Bethlehem Turnpike Road Company.

On motion of Mr. Woods—

42. A bill to better define the line between the counties of Crittenden and Caldwell.

*Ordered*, That the Committee on Corporate Institutions prepare and bring in the 1st, 13th, 19th, 20th, 22d, 26th, 37th, and 38th; the Committee on County Courts the 2d, 3d, 17th, 27th, 29th, 31st, 35th, 36th, 39th, 40th, and 42d; the Committee on Claims the 4th and 34th; the

Committee on Railroads the 5th, 23d, and 30th; the Committee on Ways and Means the 6th and 16th; the Committee on Internal Improvement the 7th, 15th, 25th, and 41st; the Committee on the Revised Statutes the 8th and 10th; the Committee on Circuit Courts the 9th; the Committee on Religion the 11th, 21st, and 28th; the Committee on Education the 12th and 18th; the Committee on Agriculture and Manufactures the 14th; a select committee, consisting of Messrs. Graves, Davidson, and Ayers, the 24th; a select committee, consisting of Messrs. Griffith, E. Polk Johnson, and Brooks, the 32d; and a select committee, consisting of Messrs. Conrad, Phelps, and Nall, the 33d.

Mr. McAfee, from the Committee on Military Affairs, to whom was recommitted a bill, entitled

A bill to amend chapter 2103, Session Acts, approved March 11, 1867,

Reported the same without amendment, and with the expression of opinion of a majority of the committee that said bill ought not to pass.

Said bill is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That chapter 2103 of Session Acts, approved March 11, 1867, be amended by the addition of the following clause, viz: That the Auditor of State is directed to draw his warrant on the Treasury, payable out of the Militia Fund, in settlement of any balances due on certificates issued under said act.

§ 2. This act to be in force from and after its passage.

Mr. Corbett then moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Tucker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | John W. Ogilvie, |
| Wm. A. Allen, | Thomas H. Corbett, | Julian N. Phelps, |
| George W. Anderson, | Joseph M. Davidson, | Lewis Potter, |
| A. C. Armstrong, | W. W. Deaderick, | W. L. Reeves, |
| W. W. Ayers, | John W. Dyer, | E. A. Robertson, |
| Alpheus W. Bascom, | M Woods Ferguson, | John Rowan, |
| W. N. Beckham, | C. D. Foote, | John P. Rowlett, |
| John A. Bell, | E. A. Graves, | J. R. Sanders, |
| S. C. Bell, | Clinton Griffith, | C. C. Scales, |
| J. C. S. Blackburn, | E. Polk Johnson, | James W. Snyder, |
| Wm. F. Bond, | T. M. Johnson, | J. S. Taylor, |

| | | |
|---|---|---|
| Robert M. Carlisle, | T. J. Jones, | C. W. Threlkeld, |
| John S. Carpenter, | J. J. McAfee, | Joseph T. Tucker, |
| George Carter, | Wm. J. McElroy, | C. H. Webb, |
| James S. Chrisman, | J. C. Moorman, | F. A. Wilson, |
| C. M. Clay, jr., | J. L. Nall, | S. H. Woolfolk—49. |
| Wm. G. Conrad, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | C. P. Gray, | Hiram S. Powell, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | Wm. Sellers, |
| B. E. Cassilly, | L. W. Lassing, | George M. Thomas, |
| J. Guthrie Coke, | J. S. Lawson, | Harry I. Todd, |
| R. D. Cook, | G. W. Little, | T. W. Varnon, |
| J. E. Cosson, | J. A. McCampbell, | E. F. Waide, |
| W. H. Evans, | Bryan S. McClure, | Mordecai Williams, |
| James B. Fitzpatrick, | T. J. Megibben, | J. N. Woods, |
| Joseph P. Foree, | W. A. Morin, | J. M. Wright—28. |
| Wm. Cassius Goodloe, | | |

Mr. McAfee moved to reconsider the vote by which said bill was laid on the table.

Mr. Corbett moved to lay the motion of Mr. McAfee on the table.

Pending the consideration of the latter motion, the hour of two o'clock, P. M., arrived, and then the House adjourned.

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## THURSDAY, FEBRUARY 29, 1872.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Railroads.

Mr. Arnold moved to reconsider the vote by which this House, on yesterday, passed a bill, entitled

A bill uniting the offices of Adjutant General and Quarter-Master General.

Mr. Reeves, from the Committee on Enrollments, reported that they had examined an enrolled bill, which originated in the Senate, entitled

An act in relation to the office of the Quarter-Master General;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Mt. Sterling and Spencer Creek Turnpike Road Company," approved May 24, 1861;

An act to amend an act, entitled "An act to prevent justices of the peace in Kenton county from holding inquests in certain cases," approved March 22, 1871;

An act for the benefit of Solomon Tingle, of Henry county;

An act for the benefit of Wm. Cummins and his sureties;

An act for the benefit of W. B. Stivers, school commissioner of Madison county;

A act to amend section 39th of the city charter of Owensboro;

An act to require the clerk of the Louisville chancery court to make a cross index to suits and cross-suits in said court, and continue the same;

An act to amend an act, entitled "An act to incorporate the Grand Central Industrial Exposition," approved February 16th, 1872;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the securities of Robert Hamilton, late sheriff of Perry county.

An act for the benefit of Montgomery Lodge, No. 23, of Free and Accepted Masons.

An act for the benefit of the heirs of R. M. Biggs, deceased.

An act to pay Bullitt county for keeping pauper lunatics.

An act for the benefit of certain turnpike roads in Bath county.

An act to amend section 20, of article 1, of chapter 91, of the Revised Statutes.

An act to amend the charter of the town of Lawrenceburg.

An act for the benefit of Henry G. Black, of Ballard county.

An act to amend an act, entitled "An act exempting salt wagons from paying toll on the Wilderness Turnpike Road, in Knox and Josh Bell counties."

An act to regulate sales made under decrees of the Metcalfe circuit court.

An act to change the time of holding court of claims in Graves county.

An act to amend the 1st section of an act, entitled "An act to prevent the destruction of fish in Clover creek, in Breckinridge county."

An act for the benefit of Henry county.

An act to amend the charter of the Alexandria and Flagg Spring Turnpike Road Company.

An act to regulate the sale of spirituous liquors in Boyd county.

An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

An act to incorporate the Smith's Grove Deposit Bank.

An act to incorporate the Caseyville Deposit Bank, of Union county.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—

An act to change the name of the Hopkinsville Coal, Iron, Mining, and Manufacturing Company.

By same—

An act to amend an act, entitled "An act to incorporate the town of Brownsville, in Edmonson county," approved February 15th, 1860.

By Mr. Blakey, from the same committee—

An act to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

By Mr. J. A. Bell, from the same committee—

An act to incorporate the District of Hayfield, in Campbell county.

By same—

An act to amend and reduce into one the several acts in relation to the town of Calhoun.

By same—

An act to incorporate the Mattingly Coal Company.

By Mr. Anderson, from the same committee—

An act to amend the charter of Augusta, in Bracken county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Phelps, from a select committee—

A bill for the benefit of the New Liberty Branch Turnpike Road Company, in Owen county.

By Mr. Scales, from the Committee on Corporate Institutions—

A bill to incorporate the First Presbyterian Church of Ludlow, Kenton county.

By same—

A bill to incorporate the Tygart Valley Iron Company.

By same—

A bill to incorporate the Adair Hotel Company.

By Mr. Blakey, from the same committee—

A bill to incorporate the Christian Church of Russellville.

By same—

A bill to incorporate the Good Templars' Widow and Orphans' Benefit Assocation.

By Mr. J. A. Bell, from the same committee—

A bill to incorporate the town of Paintsville.

By same—

A bill for the benefit of Joseph Gardner, of Magoffin county.

By same—

A bill to incorporate the Leestown Turnpike Road Company.

By same—

A bill to reduce into one, amend, and digest the act, and amendatory acts, incorporating the town of North Middletown, in Bourbon county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Scales, from the Committee on Corporate Institutions, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the town of Bowling Green.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the inhabitants of the territory known and now designated by law, as expressed in "An act to amend the charter, and to enlarge and define the boundary of the town of Bowling Green," approved February 3d, 1871, are hereby continued corporate, and shall be known by the name and style of the "City of Bowling Green;" a body-politic and corporate, with power to govern themselves by such ordinances and resolutions, for municipal purposes, as they may deem proper; not to conflict with their charter heretofore granted to them, under the name and style of the "Town of Bowling Green," nor any amendments which have been, and is hereby, granted, or may hereafter be granted and affixed to said charter, except where the same is repealed, nor the Constitution and laws of this State, nor of the United States; and said city is hereby granted the same powers that the town of Bowling Green now has, and hereby adopts all of the said charter of said town now in force, and not in conflict herewith, as the law of said city; and all laws and parts of laws not in conflict herewith, that have been heretofore granted for the benefit of said town, are hereby declared to be still in force in said city, so far as the same is now applicable.

§ 2. That hereafter the city of Bowling Green shall, by law, provide for the maintenance and care of the poor of said city; and the inhabitants thereof shall be relieved from the county poll-tax now levied and collected by the county of Warren for that purpose, and which said poll-tax, heretofore collected by said county, may hereafter be assessed and levied by the board of councilmen of said city, and collected by the city collector, in the same manner as other taxes of said city are collected.

§ 3. That in the absence of the police judge, and in the trial of all cases when said judge cannot, for any reason, preside, it shall be the duty of the City Clerk to open the court, and proceed to elect a judge from the members of the bar present, as is now provided by law in the circuit courts of this Commonwealth.

§ 4. That section 28 of an act, entitled "An act to amend and reduce into one all the acts concerning the town of Bowling Green," approved March 5th, 1856, be, and the same is hereby, so amended, that the collector of the city of Bowling Green, for the purposes of enforcing the collection of unpaid taxes past due upon real estate in said city, shall have the power to levy upon and sell said property upon which said taxes are past due, after having duly advertised and reported the same to the board of councilmen of said city, as may be prescribed by ordinance.

§ 5. Within two weeks after making sale of any property for taxes, the collector shall render to the board of councilmen a full report of his proceedings therein, including a list of the property sold, and of the names of the owners and purchasers, and a description of the property; and he shall also file a copy of the advertisement, and shall make affidavit before a justice of the peace that he has complied with the requirements of the charter and the ordinances of the city in relation to making the levy, advertising, giving notice to owners, and selling, which affidavit shall form a part of the collector's report.

§ 6. All tracts of land within the limits of said city, not laid off into squares or lots, shall be assessed for taxation by the acre.

§ 7. That hereafter the mayor of the city of Bowling Green shall keep a regular set of books and bond register, in which the exact financial condition of the city may, at all times, be readily seen on inspection; said books to be open for inspection to council of said city.

§ 8. Whenever the city of Bowling Green causes streets and alleys to be opened at the cost of the city, when same is to the benefit of individuals, by enhancing the value of the property through which, or by which, said streets or street, alley or alleys, are opened or run, that the city shall have, and is hereby granted, the power to levy and collect a special additional tax of ten cents on the one hundred dollars' worth of property so enhanced, per annum, the city authorities to be governed by the assessed value of the property, in all cases, in levying this tax; and said special tax to continue until the purchased cost of said streets and alleys is received, when said tax is to cease.

§ 9. Hereafter Main, East, and West streets, in the city of Bowling Green, shall be known as Main street; and that Main North street in said city shall be known as Bridge street; and that Main South street of said city shall be known as State street; which names hereby affixed to said streets shall remain.

§ 10. That for the benefit of a common school system in the city of Bowling Green, that the mayor and council of the city of Bowling Green shall submit to the white voters of said city a proposition to levy a tax, not exceeding forty cents on the one hundred dollars' worth of taxable property owned by said class, for the benefit of common schools in said city.

§ 11. The vote upon said proposition shall be polled as is now done in the municipal elections of said city, and shall be held in the month of March or April, of the year 1872, upon a day fixed by the

common council, two weeks' public notice of said election being first given by the mayor.

§ 12. At said poll, the clerk shall record each vote as "For the Tax," or "Against the Tax," as the case may be, and the poll shall be certified and examined, and the result announced, as is now provided in municipal elections in said city.

§ 13. If the result of the poll be in favor of the tax, then the common council shall be, and is hereby, empowered to levy a tax not exceeding the rate hereinbefore specified, which tax shall be assessed and collected as other taxes of said city are now collected; and said council shall further (in order that immediate funds may be obtained for the purposes of purchasing building sites and erecting school edifices) have the power to issue thirty city b nds, of the denomination of one thousand dollars each, with coupons attached, bearing interest at the rate of 8 per cent. per annum, payable semi-annually, to-wit: on the first day of January and July, at the office of the mayor of said city; said bonds to be payable twenty years after date, the city, however, having the right to call in and redeem same ten years after date, at the option of the mayor and council. Said bonds must be signed by the mayor, and countersigned by the clerk, and the coupons must be signed by the clerk; and provision shall be made for the payment of said bonds, and interest accruing thereon, out of the fund raised by the common school tax of said city.

§ 14. In case of the passage of said tax by the white voters of Bowling Green, the Superintendent of Public Instruction for the State shall be, and is hereby, authorized and required to transfer and pay over to the corporate authorities of the city of Bowling Green all the moneys which, under the existing public school laws of the State, would be due the city of Bowling Green. The money so transferred and paid over is to be used and applied in aid of the common free schools of said city.

§ 15. Said taxes, when collected, and the proceeds derived from the sale of said bonds, and the moneys received from the State school fund, shall be sacredly set apart for school purposes, and held by the treasurer of said city as a separate and distinct fund, and to be disposed of only as hereinafter provided.

§ 16. The mayor and common council shall select and purchase one or more building-sites for school edifices; and when same has been secured shall take all necessary steps, and cause to be erected such school buildings as they may deem proper; all to be done within the means raised by this act.

§ 17. Upon the completion of the school edifices the mayor and council shall appoint school trustees—one from each ward—who shall hold their offices until the next ensuing election for city officers, and until their successors are duly elected and qualified; and at each annual election for councilmen there shall be elected one common school trustee from each ward. The mayor shall be ex-officio chairman of the school board, and the office of councilman and school trustee shall be incompatible.

§ 18. The board of school trustees shall determine all school regulations, requirements, &c., and shall nominate and send in to the

mayor and council a superintendent and corps of teachers, who, on being confirmed, shall hold their offices for the term of the school board, and until their successors are duly qualified; said officers are hereby subject to the same laws (except the property qualifications) now enforced with reference to the city officials.

§ 19. The school board may elect one of their number as their secretary, who shall receive compensation for his services by way of an allowance, to be made by said board; but the other members of said board shall serve free.

§ 20. The school board shall determine the salaries of both superintendent and graded teachers; and, upon the same being sanctioned by the council, they shall stand fixed until changed by the same authorities.

§ 21. All appropriations over three hundred dollars for school purposes must be sanctioned by the mayor and councilmen, but lesser amounts may be used when deemed necessary by the school board alone; who also have, and are hereby granted, all necessary powers in the control and management of said schools, subject alone to the mayor and council.

§ 22. The trustees hereinbefore provided for shall give bond, to be approved by the mayor and councilmen, for the faithful performance of their duties.

§ 23. The before mentioned public schools shall be free to all white children within the corporate limits of the city.

§ 24. The city authorities, upon the acceptance by the voters (as hereinbefore stated) of the common school sections, may proceed to assess, levy, and collect the taxes for free school purposes. The tithes imposed by the county court of Warren on the tithables residing in the corporate limits of Bowling Green, and the proper quota (as is now distributed by law) of the money collected on and in the city of Bowling Green for the present year, for State school purposes, or in aid of the common school fund, shall also pass and be transferred according to the provisions of this act; and the assessment shall be made as of the 10th day of January, 1872.

§ 25. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Potter and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Joseph M. Davidson, | Bryan S. McClure, |
| A. C. Armstrong, | John W. Dyer, | T. J. Megibben, |
| A. S. Arnold, | M. Woods Ferguson, | Wm. Mynhier, |
| Alpheus W. Bascom, | C. P. Gray, | J. L. Nall, |
| W. N. Beckham, | Clinton Griffith, | William Sellers, |
| John A. Bell, | Wm. A. Hoskins, | James W. Snyder, |
| S. C. Bell, | E. Polk Johnson, | L. W. Trafton, |
| W. B. M. Brooks, | T. M. Johnson, | F. A. Wilson, |

George Carter, G. W. Little, J. M. Wright—29.
James S. Chrisman, J. A. McCampbell,

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | E. A. Robertson, |
| Wm. A. Allen, | Wm. Cassius Goodloe, | John Rowan, |
| W. W. Ayers, | E. A. Graves, | J. R. Sanders, |
| G. W. Bailey, | T. J. Jones, | C. C. Scales, |
| R. Tarv. Baker, | L. W. Lassing, | J. S. Taylor, |
| J. C. S. Blackburn, | J. S. Lawson, | George M. Thomas, |
| Church H. Blakey, | William J. McElroy, | C. W. Threlkeld, |
| Wm. F. Bond, | M. E. McKenzie, | Joseph T. Tucker, |
| Thomas P. Cardwell, | J. C. Moorman, | E. F. Waide, |
| Robert M. Carlisle, | W. A. Morin, | J. L. Waring, |
| Wm. G. Conrad, | Julian N. Phelps, | C. H. Webb, |
| R. D. Cook, | Lewis Potter, | J. N. Woods—38. |
| W. W. Deaderick, | Hiram S. Powell, | |

And so said bill was rejected.

Mr. Scales then moved to reconsider the vote by which said bill was rejected.

And the question being taken thereon, it was decided in the affirmative.

The vote by which said bill was ordered to be read a third time was also reconsidered.

Mr. Scales then offered amendments to said bill, which were adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company;"

An act to provide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the penitentiary, and to repair the walls and penitentiary building;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

According to order, the House took up for consideration

A bill to lay off the State into ten Congressional Districts.

When, on motion of Mr. Varnon, the House resolved itself into a Committee of the Whole on the state of the Commonwealth—the Speaker retiring from, and Mr. Tucker being called to, the Chair.

After a time, the committee rose, the Speaker resumed the chair, and Mr. Tucker, the Chairman thereof, reported that the committee had had under consideration the bill aforesaid, and having adopted sundry amendments thereto, and completed its consideration, had risen and directed him so to report to the House.

The several amendments proposed by the committee were then adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

## FRIDAY, MARCH 1, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Phelps—

1. The petition of certain citizens of Butler county, praying the enactment of a stay law for two years.

By Mr. Armstrong—

2. The petition of sundry citizens of Augusta, Bracken county, praying the repeal of certain amendments to their town charter.

By Mr. Speaker (McCreary)—

3. The remonstrance of certain citizens of Glen's Fork, Adair county, against the passage of an act to incorporate said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Ways and Means; the 2d to the Committee on Revised Statutes; and the 3d to the Committee on Corporate Institutions.

On motion of Mr. Varnon, leave was given to bring in a bill to amend the charter of the Buffalo Springs Cemetery Company, near Stanford.

*Ordered*, That the Committee on Codes of Practice prepare and bring in the same.

On motion, leave of absence, indefinitely, was granted to Messrs. Tarlton, Moorman, Clay, Graves, and J. R. Sanders.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to change and regulate the time of holding the circuit courts in the first judicial district.

An act authorizing the trustees of the Baptist Church of East Fork, in Henry county, to sell the church property and reinvest the proceeds.

Resolution on the death of Daniel Clark, Ancient Governor.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal the charter of the Providence Mining, Manufacturing, and Shipping Company.

An act for the benefit of George W. McClure, coroner of Rockcastle county.

An act to amend the charter of the town of Bowling Green.

And that they had passed bills of the following titles, viz:

1. An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

2. An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company.

3. An act for the benefit of John Moore, of Green county.

4. An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth."

5. An act legalizing certain proceedings of the Owen county court.

6. An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton."

7. An act to repeal an act, entitled "An act to authorize the marking and establishing the line between the counties of Pendleton and Grant."

8. An act to establish a court of common pleas in the 11th judicial district.

9. An act for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Martin, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher.

10. An act to amend the charter of the city of Covington.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Railroads; the 2d to the Committee on Internal Improvement; the 3d to the Committee on Claims; the 4th, 5th, and 7th to the Committee on County Courts; the 6th and 10th to the Committee on Corporate Institutions; the 8th to the Committee on Circuit Courts; and the 9th to the Committee on Propositions and Grievances.

Mr. Mynhier, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to incorporate the West Liberty and Cross Roads Turnpike Road Company,

Reported the same with amendments thereto, which were adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Mynhier, from the Committee on Corporate Institutions—

An act to amend the charter of the city of Paducah.

By same—

An act to amend the charter of the city of Maysville.

By Mr. Anderson, from the same committee—

An act to amend the charter of the city of Covington.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the town of Bardstown, in the county of Nelson,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

Bills were reported by the committee who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Mynhier, from the Committee on Corporate Institutions—

A bill for the benefit of the Georgetown, Oxford, and Leesburg Turnpike Road Company.

By same—

A bill to incorporate the Bear Creek Navigation, Mining, and Manufacturing Company.

By same—

A bill to repeal an act to amend the charter of the city of Paris, approved March 18, 1870.

By same—

A bill for the benefit of the New Liberty and Owenton Turnpike Road Company.

By same—

A bill to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8, 1871.

By same—

An act to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17, 1871.

By Mr. Anderson, from the same committee—

A bill to incorporate the Richmond Mining Company.

By same—

A bill to amend the charter of the Citizens' Passenger Railroad, of Louisville.

By same—

A bill to amend an act, entitled "An act incorporating the town of Nebo, in Hopkins county."

By same—

A bill to amend the charter of the Winchester and Red River Turnpike Road Company.

By same—

A bill to establish the Southern Park Association.

By same—

A bill to incorporate Franklin Lodge, No. 28, F. A. M., in Boyle county.

By same—

A bill to amend the charter of the town of Bardstown, in Nelson county.

By same—

A bill to extend the boundary of the city of Owensboro.

By same—

A bill to incorporate the Broadway Baptist Church, of Louisville.

By same—

A bill to establish the Highland Park Corporation.

By same—

A bill to amend an act, entitled "An act to amend the charter of the Blue Lick Turnpike Road Company," approved February 22d, 1871.

By same—

A bill to incorporate the Falls City Levee and Bridge Company.

By same—

A bill for the benefit of the Childsburg and Clintonville Turnpike Road Company.

By same—

A bill to incorporate the St. Louis Cemetery, near Louisville.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15, 1808.

By same—

A bill to incorporate the Boone Bridge Company.

By same—

A bill to incorporate the White Stone Quarry Company.

By same—

A bill to incorporate the Louisville Iron and Steel Rail Company.

By same—

A bill to change the corporate limits of the town of Springfield, in Washington county.

By same—

A bill to charter Brothers' Lodge, No. 132, of the Independent Order of Odd Fellows, in the city of Owensboro.

By same—

A bill to incorporate Jefferson Manufacturing and Mining Company.

By same—

A bill to incorporate the Falls City Association for the Improvement of the Breeds of Stock.

By same—

A bill to incorporate the Colored Methodist Episcopal Church in America.

By same—

A bill to incorporate the Jefferson, Oldham, Hall's Landing, and Westport Turnpike Company.

By same—

A bill to incorporate the Louisville Stock and Bond Board.

By same—

A bill to amend an act incorporating College Street Presbyterian Church, of Louisville.

By same—

A bill to incorporate the Church House for Females and Infirmary for the Sick.

By same—

A bill to incorporate the Newbergh Railway and Real Estate Company.

By same—

A bill to incorporate the St. Augustin Cemetery, near Lebanon, Marion county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Anderson, from the Committee on Corporate Institutions, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the town of Morses, in Graves county," approved March 21, 1871.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett offered an amendment thereto, which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson, from the Committee on Corporate Institutions, who were directed to prepare and bring in the same, reported

A bill for the benefit of the Paroquet Springs Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Waide moved to lay the same on the table.

And the question being taken thereon, it was decided in the affirmative.

And so said bill was rejected.

Mr. Anderson, from the Committee on Corporate Institutions, moved that the committee be discharged from the further consideration of a bill, entitled

A bill to prohibit the floating or running logs, wood, or other timber, down the Licking river without rafting the same.

Which, on leave had, was referred to said committee, with directions to prepare and bring in same.

And the question being taken on the motion of Mr. Anderson, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mynheir and Bascom, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | J. A. McCampbell, |
| George W. Anderson, | W. H. Evans, | Mat. Nunan, |
| R. Tarv. Baker, | M. Woods Ferguson, | Hiram S. Powell, |
| J. C. S. Blackburn, | C. D. Foote, | John Rowan, |
| Church H. Blakey, | Wm. Cassius Goodloe, | John P. Rowlett, |
| W. B. M. Brooks, | Clinton Griffith, | C. C. Scales, |
| Robert M. Carlisle, | Wm. A. Hoskins, | George M. Thomas, |
| James S. Chrisman, | E. Polk Johnson, | T. W. Varnon, |
| William G. Conrad, | J. J. McAfee, | J. M. Wright—28. |
| R. D. Cook, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Thos. M. Johnson, | E. A. Robertson, |
| W. W. Ayers, | T. J. Jones, | J. R. Sanders, |
| G. W. Bailey, | J. S. Lawson, | Samuel M. Sanders, |
| Alpheus W. Bascom, | G. W. Little, | James W. Snyder, |
| W. N. Beckham, | Bryan S. McClure, | J. S. Taylor, |
| S. C. Bell, | Wm. J. McElroy, | C. W. Threlkeld, |
| Wm. F. Bond, | M. E. McKenzie, | Harry I. Todd, |
| Thomas P. Cardwell, | T. J. Megibben, | Joseph T. Tucker, |
| George Carter, | W. A. Morin, | E. F. Waide, |
| R. L. Cooper, | Wm. Mynhier, | C. H. Webb, |
| Thomas H. Corbett, | J. L. Nall, | J. M. White, |
| J. E. Cosson, | John W. Ogilvie, | Mordecai Williams, |
| Joseph M. Davidson, | Julian N. Phelps, | F. A. Wilson, |
| James B. Fitzpatrick, | Lewis Potter, | Jonas D. Wilson, |
| E. A. Graves, | W. L. Reeves, | S. H. Woolfolk—46. |
| C. P. Gray, | | |

And so the House refused to discharge the committee therefrom.

And thereupon Mr. Anderson, from said committee, reported said bill by the title aforesaid,

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Blakey then moved to recommit said bill to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and Mynhier, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | J. J. McAfee, |
| George W. Anderson, | R. L. Cooper, | J. A. McCampbell, |
| A. C. Armstrong, | W. W. Deaderick, | Mat. Nunan, |
| R. Tarv. Baker, | M. Woods Ferguson, | Hiram S. Powell, |
| J. C. S. Blackburn, | C. D. Foote, | John Rowan, |
| Church H. Blakey, | Wm. Cassius Goodloe, | George M. Thomas, |
| James S. Chrisman, | C. P. Gray, | T. W. Varnon—21. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | E. A. Graves, | John P. Rowlett, |
| W. W. Ayers, | Wm. A. Hoskins, | J. R. Sanders, |
| G. W. Bailey, | George M. Jessee, | Samuel M. Sanders, |
| Alpheus W. Bascom, | T. M. Johnson, | C. C. Scales, |
| W. N. Beckham, | T. J. Jones, | William Sellers, |
| S. C. Bell, | J. S. Lawson, | James W. Snyder, |
| Wm. F. Bond, | G. W. Little, | J. S. Taylor, |
| W. B. M Brooks, | Bryan S. McClure, | C. W. Threlkeld, |
| Thomas P. Cardwell, | William J. McElroy, | Harry I. Todd, |
| George Carter, | W. A. Morin, | Joseph T. Tucker, |
| Wm. G. Conrad, | Wm. Mynhier, | E. F. Waide, |
| Thomas H. Corbett, | John W. Ogilvie, | Mordecai Williams, |
| J. E. Cosson, | Julian N. Phelps, | F. A. Wilson, |
| Joseph M. Davidson, | Lewis Potter, | Jonas D. Wilson, |
| W. H. Evans, | W. L. Reeves, | S. H. Woolfolk—47. |
| James B. Fitzpatrick, | E. A. Robertson, | |

And so the House refused to recommit said bill.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, It satisfactorily appears to this General Assembly that the free and safe navigation of Licking river is being at times

greatly obstructed by the floating of logs, wood, and other lumber loose in said river; therefore, for the better securing the free, safe, and uninterrupted navigation of said river,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall be unlawful for any person or persons, company or corporation, to float or drive down Licking river logs, wood, or other lumber, without first having the same rafted or confined together; and no person or persons shall run the same down said river without having some person or persons on the same: *Provided, however*, This act shall not apply to rafts, logs, or other lumber that may get loose in said river by accident or high water; and in all such cases, the owner or owners shall have the right to pursue and reclaim such rafts, logs, or other lumber.

§ 2. That any person or persons violating any of the provisions of this act shall forfeit and pay to the Commonwealth of Kentucky a sum equal to one half of the value of the said logs, wood, rafts, or other lumber found floating in said river in violation of the provisions of the first section of this act, which sum may be recovered in the name of the Commonwealth in any court having jurisdiction, or by indictment by a grand jury in any county in which the offense may be committed. This act shall not apply to any part of Licking river above the mouth of the Rock House Fork of Licking river, in Morgan county. And all acts and parts of acts in conflict with this act, are hereby repealed.

§ 3. This act shall not take effect, nor be in force, until the 18th day of December, 1872, after which time it shall be in full force and effect.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Scales and Foote, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | George M. Jessee, | J. R. Sanders, |
| W. W. Ayers, | T. M. Johnson, | Samuel M. Sanders, |
| G. W. Bailey, | T. J. Jones, | Wm. Sellers, |
| Alpheus W. Bascom, | J. S. Lawson, | James W. Snyder, |
| W. N. Beckham, | Bryan S. McClure, | J. S. Taylor, |
| S. C. Bell, | Wm. J. McElroy, | C. W. Threlkeld, |
| Wm. F. Bond, | M. E. McKenzie, | Harry I. Todd, |
| Thomas P. Cardwell, | T. J. Megibben, | L. W. Trafton, |
| George Carter, | W. A. Morin, | Joseph T. Tucker, |
| Wm. G. Conrad, | Wm. Mynhier, | E. F. Waide, |
| R. L. Cooper. | J. L. Nall, | C. H. Webb, |
| Thomas H. Corbett, | John W. Ogilvie, | J. M. White, |
| J. E. Cosson, | Julian N. Phelps, | Mordecai Williams, |
| John W. Dyer, | Lewis Potter, | F. A. Wilson, |
| James B. Fitzpatrick, | W. L. Reeves, | Jonas D. Wilson, |
| E. A. Graves, | E. A. Robertson, | S. H. Woolfolk—48. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | J. A. McCampbell, |
| George W. Anderson, | W. W. Deaderick, | Mat. Nunan, |
| A. C. Armstrong, | W. H. Evans, | Hiram S. Powell, |
| R. Tarv. Baker, | M Woods Ferguson, | John Rowan, |
| J. C. S. Blackburn, | C. D. Foote, | John P. Rowlett, |
| Church H. Blakey, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. B. M. Brooks, | Wm. A. Hoskins, | George M. Thomas, |
| Robert M. Carlisle, | E. Polk Johnson, | T. W. Varnon, |
| James S. Chrisman, | L. W. Lassing, | J. M. Wright—29. |
| R. D. Cook, | G. W. Little, | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Bascom then moved to reconsider the vote by which said bill was passed.

Mr. Waide moved to lay the motion of Mr. Bascom on the table.

And the question being taken on the motion of Mr. Waide, it was decided in the affirmative.

According to order, the Houss took up for further consideration a bill, entitled

A bill to amend the revenue laws of this Commonwealth.

Mr. Gray offered an amendment to said bill.

Mr. Chrisman moved to recommit the bill and proposed amendment to the Committee on Revenue.

And the question being taken on the motion of Mr. Chrisman, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Robert M. Carlisle, | E. Polk Johnson, |
| Wm. A. Allen, | James S. Chrisman, | T. M. Johnson, |
| George W. Anderson, | R. D. Cook, | L. W. Lassing, |
| A. C. Armstrong, | Thomas H. Corbett, | J. S. Lawson, |
| A. S. Arnold, | J. E. Cosson, | G. W. Little, |
| G. W. Bailey, | John W. Dyer, | J. A. McCampbell, |
| R. Tarv. Baker, | C. D. Foote, | W. A. Morin, |
| J. C. S. Blackburn, | C. P. Gray, | C. W. Threlkeld—24. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| S. C. Bell, | Wm. J. McElroy, | James W. Snyder, |
| Church H. Blakey, | M. E. McKenzie, | J. S. Taylor, |
| Wm. F. Bond, | T. J. Megibben, | George M. Thomas, |
| W. B. M. Brooks, | Wm. Mynhier, | Harry I. Todd, |
| Thomas P. Cardwell, | J. L. Nall, | L. W. Tratton, |
| Wm. G. Conrad, | Mat. Nunan, | Joseph T. Tucker, |
| R. L. Cooper, | John W. Ogilvie, | T. W. Varnon, |

| | | |
|---|---|---|
| Joseph M. Davidson, | Julian N. Phelps, | E. F. Waide, |
| W. H. Evans, | Lewis Potter, | J. L. Waring, |
| James B. Fitzpatrick, | W. L. Reeves, | C. H. Webb, |
| E. A. Graves, | E. A. Robertson, | J. M. White, |
| Clinton Griffith, | John Rowan, | Mordecai Williams, |
| Wm. A. Hoskins, | John P. Rowlett, | F. A. Wilson, |
| T. J. Jones, | J. R. Sanders, | Jonas D Wilson, |
| J. J. McAfee, | Samuel M. Sanders, | S. H. Woolfolk, |
| Bryan S. McClure, | Wm. Sellers, | J. M. Wright—48. |

Mr. Tucker offered an amendment to the amendment proposed by Mr. Gray.

Mr. Griffith then moved to recommit the bill and amendments proposed to a select committee of eight members, with instructions to report thereon on Wednesday next, at 1½ o'clock, P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Webb, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Julian N. Phelps, |
| Wm. A. Allen, | C. D. Foote, | Lewis Potter, |
| George W. Anderson, | C. P. Gray, | Hiram S. Powell, |
| A. C. Armstrong, | Clinton Griffith, | E. A. Robertson, |
| A. S. Arnold, | Wm. A. Hoskins, | John Rowan, |
| W. W. Ayers, | E Polk Johnson, | John P. Rowlett, |
| G. W. Bailey, | T. M. Johnson, | C. C. Scales, |
| R. Tarv. Baker, | L. W. Lassing, | Wm. Sellers, |
| W. N. Beckham, | J. S. Lawson, | James W. Snyder, |
| W. B. M. Brooks, | G. W. Little, | J. S. Taylor, |
| Robert M. Carlisle, | J. J. McAfee, | C. W. Threlkeld, |
| George Carter, | J. A. McCampbell, | Harry I. Todd, |
| William G. Conrad, | M. E. McKenzie, | L. W. Tratton, |
| R. D. Cook, | W. A. Morin, | J. M. White, |
| R. L. Cooper, | J. L. Nall, | Jonas D. Wilson, |
| J. E. Cosson, | Mat. Nunan, | J. M. Wright—50. |
| John W. Dyer, | John W. Ogilvie, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | George M. Thomas, |
| S. C. Bell, | E. A. Graves, | Joseph T. Tucker, |
| Church H. Blakey, | T. J. Jones, | T. W. Varnon, |
| Wm. F. Bond, | Bryan S. McClure, | E. F. Waide, |
| Thomas P. Cardwell, | William J. McElroy, | Mordecai Williams, |
| James S. Chrisman, | T. J. Megibben, | F. A. Wilson, |
| Joseph M. Davidson, | Samuel M. Sanders, | S. H. Woolfolk—22. |
| James B. Fitzpatrick, | | |

And thereupon the Speaker appointed on said committee Messrs. Hoskins, Blackburn, Corbett, Reeves, Griffith, Tucker, and McCampbell.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Thomas A. Ireland, clerk of the Owen county court;

An act for the benefit of the county of Nelson;

An act for the benefit of Harrison Berry, of Nicholas county;

An act supplemental to an act, entitled "An act for the benefit of Knox county," approved March 20, 1871;

An act for the benefit of John M. Thomas, of Grayson county;

An act to change the time for the election of president and directors of the Christian County Agricultural and Mechanical Association;

An act to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association, in Boyle county;

An act for the benefit of Samuel Ellis and others;

An act for the benefit of Wm. W. Burns, late sheriff of Robertson county, and his sureties;

An act to incorporate the trustees of the Washington Scientific School, in Mason county;

An act for the benefit of Sulphur Well school district, in Jessamine county;

An act to repeal an act, entitled "An act for the benefit of the common school district No. 8, in Lewis county," approved January 10, 1872;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Paducah and North Ballard Turnpike Road Company;

An act to incorporate the Christian County Bank;

An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines;

An act for the appointment of official reporters, and for the preservation of evidence in certain cases, in Jefferson county;

An act to incorporate the town of Montgomery, in Trigg county;

An act to amend the charter of the town of Bowling Green;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

And then the House adjourned.

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## SATURDAY, MARCH 2, 1872.

The following petitions were presented, viz:

By Mr. Sellers—

1. The petition of certain citizens of Garrard county, praying that the Lancaster and Dix River Turnpike Road may be excepted from the operation of the proposed act to exempt persons going to mills from the payment of toll on turnpikes.

By Mr. White—

2. The petition of certain citizens of Grayson county, praying the repeal of an act prohibiting the sale of spirituous liquors, &c., at or within five miles of the Falls of Rough.

By Mr. McKenzie—

3. The petition of sundry citizens of Marion county, praying for a change of a certain voting place in said county.

By Mr. Webb—

4. The petition of the practicing attorneys of Livingston county, praying that the act establishing a court of common pleas in said county may not be repealed.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on Religion; the 3d to the Committee on County Courts; and the 4th to the Committee on the Judiciary.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House of Representatives, to bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Franklin Academic Institute.

An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off the public roads.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish an additional justices' and constable's district and voting precinct in Ohio county.

An act to provide for orders of injunction in certain cases, and the trial thereof.

An act to incorporate the German Baptist Bethesda Society.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the city of Columbus, in Hickman county.

An act for the benefit of Merrell Hardin.

An act for the benefit of Farish Arnett, of Magoffin county.

An act for the benefit of Mary W. Livingston, of Rockcastle county.

An act to amend the charter of the town of Franklin.

An act to supply public books for Kenton and Campbell counties.

An act for the benefit of J. J. Wood, late sheriff of Clinton county, and his securities.

An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a school-house in said district.

An act for the benefit of J. M. Forgy, school commissioner of Butler county.

An act for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county.

An act to charter the Eddyville Male and Female Academy, in Lyon county.

An act to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts."

An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties.

An act for the benefit of school district No. 16, in Fulton county.

An act to amend an act, entitled "An act to establish a graded school at St. James College, in Shelbyville, Shelby county."

A act for the benefit of common schools in Kentucky.

An act to provide for the redistricting of the school districts of the county of Campbell.

An act authorizing the trustees of common school district No. 4, in McCracken county, to levy and collect a tax for the erection of school buildings.

An act for the benefit of school district No. 26, in Ohio county.

An act for the benefit of John P. Barrett, sheriff of Ohio county, and his securities.

An act to reduce the salary of the gate-keeper on the Wilderness Turnpike Road, in Knox and Josh Bell counties.

An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county.

An act to amend the charter of the Union and Richwood Turnpike Road Company.

An act to establish a system of common schools in the town of Corydon, in Henderson county.

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties.

With amendments to the last five named bills.

That they had concurred in the adoption of a resolution, which originated in the House of Representatives, of the following title, viz:

Resolutions directing Governor to cause the remains of late Governor Adair to be reinterred in Frankfort cemetery, and to erect monuments over the graves of Governors Adair and Breathitt.

That they had concurred in the amendment proposed by the House of Representatives, to an amendment proposed by the Senate, to a bill, which originated in this House, of the following title, viz:

An act to amend the town charter of New Market, in Marion county.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Ann E. Stephens, of McCracken county.

2. An act for the benefit of the school commissioner of Powell county.

3. An act to incorporate the Central Kentucky Inebriate Asylum.

4. An act for the establishment of a Male and Female High School in the city of Lexington, and for the better organization of common or free popular schools therein.

5. An act to incorporate the Alexander College, in the town of Burksville.

6. An act to amend an act, entitled "An act to amend the charter of the town of Harrodsburg."

7. An act to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company.

8. An act to repeal an act, entitled "An act to incorporate the town of Fitchburg, in Estill county," approved February 26, 1870.

9. An act to authorize the Warren county court to submit the question of the adoption of an act amending the law in relation to roads, passed 17th day of February, 1866, to the voters of said county.

10. An act to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company.

11. An act for the benefit of Warren county.

12. An act providing for a settlement with H. I. Todd, late Lessee and Keeper of the Penitentiary.

13. An act to authorize the reduction of Lock street from High street to the line of the Louisville and Portland Canal.

14. An act to repeal an act approved March 9, 1868, entitled "An act to amend an act for the protection of sheep in this Commonwealth."

15. An act for the benefit of school district No. 26, in Nicholas county.

16. An act to charter the Diamond Coal and Mining Company.

17. An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Campbellsville."

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Judiciary; the 2d, 4th, 5th, and 15th to the Committee on Education; the 3d to the Committee on Charitable Institutions; the 6th to the Committee on the Revised Statutes; the 7th to the Committee on Internal Improvement; the 8th, 10th, and 16th to the Committee on Corporate Institutions; the 9th to the Committee on County Courts; the 11th to the Committee on Railroads; the 12th to the Committee on Circuit Courts; the 13th to the Committee on Propositions and Grievances; the 14th to the Committee on Agriculture and Manufactures; and the 17th to the Committee on Religion.

On motion of Mr. Armstrong, the further consideration of

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

Was postponed to, and made the special order of the day for, Tuesday, 5th inst., at 10½ o'clock, A. M.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to amend an act, entitled "An act to amend the charter of Hartford," approved March 2, 1867;

And also an enrolled bill, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

Mr. Reeves, from the Committee on Railroads, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved the 22d day of March, 1871;

An act to amend an act, entitled "An act to amend 'An act to incorporate the Red River Iron Manufacturing Company,'" approved 13th February, 1872;

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gray, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts," approved 10th March, 1871.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Waide, the Committee on Insurance was discharged from the further consideration of a bill from the Senate, entitled

An act to amend an act to incorporate the Louisville Insurance and Banking Company, approved 24th January, 1867,

And the same was referred to the Committee on Banks.

The House took up from the orders of the day the motion to reconsider the vote by which this House, on a former day, passed

A bill to provide for the submission to the voters of Ballard county the question of the annexation of a portion of Ballard to Hickman county.

On motion of Mr. Arnold, the motion to reconsider said vote was laid on the table; and the Clerk was directed to report said bill to the Senate.

Leave was given to bring in the following bills, viz:

On motion of Mr. Armstrong—

1. A bill to amend the charter of the Public Library of Kentucky.

On motion of Mr. Phelps—

2. A bill for the benefit of Jacob Raymon.

On motion of Mr. Powell—

3. A bill allowing the citizens of Clay county to vote on the prohibition of the sale of spirituous liquors in said county.

On motion of Mr. Robertson—

4. A bill to amend the charter of the Elizaville and Fairview Turn pike Road Company.

On motion of Mr. Conrad—

5. A bill to amend an act approved March 22, 1871, amendatory to an act in relation to county judges, approved February 13, 1858.

On motion of Mr. T. M. Johnson—

6. A bill to repeal the common pleas court in the 1st judicial district.

On motion of Mr. Waring—

7. A bill in relation to railroads in Greenup county.

On motion of same—

8. A bill for the benefit of Levi Jones.

On motion of Mr. Varnon—

9. A bill to make valid subscriptions of stock in turnpikes and railroads made by legal agents of county courts.

On motion of Mr. Webb—

10. A bill to charter the Henderson and Paducah Railroad Company.

On motion of same—

11. A bill to provide for a geological and mineralogical survey of the State.

On motion of Mr. Speaker (McCreary)—

12. A bill to provide for the payment of the expenses incurred in taking care of a pauper lunatic.

On motion of Mr. Cooper—

13. A bill for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

On motion of Mr. Deaderick—

14. A bill for the benefit of common school district No. 2, in Pendleton county.

On motion of Mr. Taylor--

15. A bill for the benefit of school district No. 25, in Ohio county.

On motion of Mr. Griffith—

16. A bill to exempt Kinsey Trafton, of the city of Henderson, from the operation of the dox tax, both State and municipal.

*Ordered*, That the Committee on Education prepare and bring in the 1st, 14th, and 15th; the Committee on Ways and Means the 2d and 11th; the Committee on Religion the 3d; the Committee on the Revised Statutes the 4th and 12th; the Committee on the Judiciary the 5th; the Committee on Retrenchment and Reform the 6th; the Committee on Railroads the 7th, 9th, and 10th; the Committee on Privileges and Elections the 8th; the Committee on Internal Improvement the 13th; and the Committee on Enrollments the 16th.

Mr. F. A. Wilson offered the following preamble and joint resolutions, which lie one day on the table, viz:

WHEREAS, A war of unparalleled bitterness and atrocity has been waged for more than three years, and is now being waged, by the Government of Spain, under the leadership of the creature Valmaseda, denominated the Captain General of Cuba, against the patriots of the island of Cuba, said merciless war being carried on by Spain for the sole purpose of destroying the germ of republican-

ism and advancement of liberal ideas in keeping with the present century, and for greed, and the profits arising from the sales of the cargoes of living freight of humanity which her slavers have transported from benighted Africa, with the sanction of her Government. In order to keep up her slave trade she has, by intrigue and artifice, kept up a continual tribal war among the natives in tropical Africa, whereby whole sections and nations have become depopulated, and turned into a *potter's field* that once teemed with happy human beings, and for the purpose of buying the captives of war of the successful party, irrespective of age or sex, to supply her slave pens in Havana. To enforce her ideas and principles, the relict of the dark ages, which all other nations of the world have abandoned as abominable in the sight of God, has, with her mailed squadrons and maddened volunteers, bathed every field on the devoted island with the best blood of the descendants of the conquerors of Grenada, and saddened every family circle of the patriots by the loss of some member, at the hands of a soldiery who carry on a war of extermination, and whose commanders have forgotten the rules of international war; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators be instructed, and our Representatives in Congress requested, to use all lawful and honorable means within their power to secure the recognition of Cuba as a free and independent nation by our Government.

*Resolved*, That should the Spanish Government continue to carry on a war of extermination, and disregard the laws of warfare, our Senators and Representatives in Congress are requested to urge on our Government to speak with imperious tone that Cuba must and shall be free.

*Resolved*, That the Secretary of State be directed to transmit a copy of these resolutions to each of our Senators and Representatives in Congress of the United States.

Mr. F. A. Wilson also offered the following joint resolution, which lies one day on the table, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this General Assembly adjourns on the 16th day of March, 1872, that it adjourn *sine die*.

Mr. Blakey offered the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the two Houses of this General Assembly adjourn on the 20th day of March, that they will adjourn *sine die*.

Mr. Blakey also offered the following resolution, viz:

*Resolved*, That the Committee on Religion be requested to bring in a bill to prohibit the running of railroad trains on the Sabbath in this State.

And the question being taken on the adoption thereof, it was decided in the negative.

And so said resolution was rejected.

Mr. Thomas offered the following resolution, viz:

*Resolved*, That the Committee on Claims be instructed to ascertain the legal costs of each party in the contested election case of Benj. E. Woodworth vs. Thomas J. Walker for a seat in this House; and that said committee report a bill authorizing the payment thereof.

Mr. Tucker offered the following amendment to said resolution as a substitute therefor, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasurer of this State in favor of B. E. Woodworth for a sum equal in amount, except for stationery, to that drawn by T. J. Walker, as late Representative to this House; said sum being in consideration of his having, with just cause, contested the right of the said Walker to a seat in this body.

And the question being taken on the amendment by way of substitute offered by Mr. Tucker, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McCampbell and Cook, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | Lewis Potter, |
| Wm. A. Allen, | J. E. Cosson, | Hiram S. Powell, |
| George W. Anderson, | W. W. Deaderick, | W. L. Reeves, |
| A. C. Armstrong, | M. Woods Ferguson, | E. A. Robertson, |
| A. S. Arnold, | James B. Fitzpatrick, | John Rowan, |
| W. W. Ayers, | C. P. Gray, | John P. Rowlett, |
| R. Tarv. Baker, | Clinton Griffith, | J. P. Sacksteder, |
| Alpheus W. Bascom, | Wm. A. Hoskins, | C. C. Scales, |
| S. C. Bell, | T. M. Johnson, | James W. Snyder, |
| J. C. S. Blackburn, | T. J. Jones, | J. S. Taylor, |
| Church H. Blakey, | William J. McElroy, | Harry I. Todd, |
| Wm. F. Bond, | M. E. McKenzie, | T. W. Varnon, |
| W. B. M Brooks, | W. A. Morin, | E. F. Waide, |
| Thomas P. Cardwell, | Wm. Mynhier, | J. L. Waring, |
| George Carter, | J. L. Nall, | Mordecai Williams, |
| B. E. Cassilly, | Mat. Nunan, | F. A. Wilson, |
| James S. Chrisman, | John W. Ogilvie, | S. H. Woolfolk—52. |
| Wm. G. Conrad, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. D. Cook, | Bryan S. McClure, | L. W. Trafton, |
| John W. Dyer, | Julian N. Phelps, | C. H. Webb, |
| W. H. Evans, | William Sellers, | J. M. White, |
| Wm. Cassius Goodloe, | George M. Thomas, | Jonas D. Wilson, |
| J. J. McAfee, | C. W. Threlkeld, | J. M. Wright—16. |
| J. A. McCampbell, | | |

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | John W. Ogilvie, |
| Wm. A. Allen, | W. W. Deaderick, | Lewis Potter, |
| A. C. Armstrong, | John W. Dyer, | W. L. Reeves, |
| A. S. Arnold, | M. Woods Ferguson, | E. A. Robertson, |
| W. W. Ayers, | James B. Fitzpatrick, | John Rowan, |
| R. Tarv. Baker, | Joseph P. Foree, | John P. Rowlett, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. N. Beckham, | C. P. Gray, | James W. Snyder, |
| S. C. Bell, | Clinton Griffith, | J. S. Taylor, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | Harry I. Todd, |
| Church H. Blakey, | T. M. Johnson, | Joseph T. Tucker, |
| Wm. F. Bond, | T. J. Jones, | T. W. Varnon, |
| W. B. M. Brooks, | J. S. Lawson, | E. F. Waide, |
| Thomas P. Cardwell, | William J. McElroy, | J. L. Waring, |
| George Carter, | M. E. McKenzie, | Mordecai Williams, |
| B. E. Cassilly, | W. A. Morin, | F. A. Wilson, |
| James S. Chrisman, | Wm. Mynhier, | S. H. Woolfolk—53. |
| William G. Conrad, | J. L. Nall, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. D. Cook, | Mat. Nunan, | L. W. Trafton, |
| J. E. Cosson, | Julian N. Phelps, | C. H. Webb, |
| W. H. Evans, | Hiram S. Powell, | J. M. White, |
| J. J. McAfee, | Wm. Sellers, | Jonas D. Wilson, |
| J. A. McCampbell, | George M. Thomas, | J. M. Wright—17. |
| Bryan S. McClure, | C. W. Threlkeld, | |

Mr. Thomas offered the following resolution, viz:

*Resolved*, That the Committee on Education be instructed to bring in a bill amending an act, entitled "An act to purchase Collins' Historical Sketches of Kentucky," which became a law March 21st, 1871, without the Governor's signature, so as to give each school district in the State the right to vote on the proposition to purchase said book.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thomas and T. M. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph P. Foree, | John P. Rowlett, |
| Wm. A. Allen, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| George W. Anderson, | C. P. Gray, | Wm. Sellers, |
| A. S. Arnold, | Clinton Griffith, | James W. Snyder, |
| W. W. Ayers, | Wm. A. Hoskins, | J. S. Taylor, |
| Alpheus W. Bascom, | Thos. M. Johnson, | George M. Thomas, |

| | | |
|---|---|---|
| W. N. Beckham, | T. J. Jones, | C. W. Threlkeld, |
| S. C. Bell, | J. S. Lawson, | Harry I. Todd, |
| J. C. S. Blackburn, | J. A. McCampbell, | L. W. Trafton, |
| Church H. Blakey, | Bryan S. McClure, | Joseph T. Tucker, |
| Wm. F. Bond, | Wm. J. McElroy, | T. W. Varnon, |
| W. B. M. Brooks, | W. A. Morin, | E. F. Waide, |
| George Carter, | J. L. Nall, | J. L. Waring, |
| B. E. Cassilly, | John W. Ogilvie, | C. H. Webb, |
| James S. Chrisman, | Julian N. Phelps, | J. M. White, |
| William G. Conrad, | Lewis Potter, | F. A. Wilson, |
| R. D. Cook, | Hiram S. Powell, | Jonas D. Wilson, |
| J. E. Cosson, | W. L. Reeves, | J. N. Woods, |
| W. W. Deaderick, | E. A. Robertson, | S. H. Woolfolk, |
| John W. Dyer, | John Rowan, | J. M. Wright—61. |
| W. H. Evans, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. L. Cooper, | J. J. McAfee, | Mordecai Williams—5. |
| M. Woods Ferguson, | C. C. Scales, | |

Mr. Threlkeld offered the following resolution, which was placed in the orders of the day, viz:

*Resolved*, That the Committee on Religion be instructed to inquire into the expediency of reporting a bill to prevent the running of trains on railroads in this State on the Sabbath day.

Mr Dyer offered the following joint resolutions, which lie one day on the table, viz:

WHEREAS, It has been made known to this General Assembly that a large number of old (many of them worthless) public documents are now stored in the city of Frankfort, at an annual cost of three hundred and sixty dollars in the way of house rent for the storage of said documents; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be instructed to select a sufficient number of sets of said books necessary for the use of the public offices of this Commonwealth, and deposit them in the offices of the Secretary of State and in the Library.

2. That the Auditor shall then dispose of the remainder of said documents to the best advantage, and place the proceeds to the credit of the Treasury of the State.

And then the House adjourned.

## MONDAY, MARCH 4, 1872.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House of Representatives, to a bill which originated in the Senate, of the following title, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport election precinct.

That they had concurred in the adoption of a resolution, which originated in the House of Representatives, of the following title, viz:

Resolution asking for information in regard to certain insurance companies.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the sale of spirituous liquors in Warren county.

An act to protect small birds in Bracken county.

An act to prohibit the sale of ardent spirits in Owen county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of citizens of Jackson county in relation to the Wilderness Turnpike Road."

An act to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek.

An act for the benefit of Geo. W. Brown, of Letcher county.

An act to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county.

An act to prevent the destruction of fish in Cumberland and Tennessee rivers and their tributaries.

An act for the benefit of Samuel Biggerstaff, of Madison county.

An act to define the meaning of the word creditor, as used in the Revised Statutes and Civil Code of Practice, and in acts amendatory thereof.

An act to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendments thereto."

An act to prohibit the sale of ardent spirits in the first and fifth magisterial districts in Todd county.

An act relating to the sale of ardent spirits in Carter county.

An act to prevent the sale of spirituous liquors at retail in the Peak's Mill voting precinct, in Franklin county.

An act to amend an act in relation to the sale of spirituous liquors in Letcher county, approved March 21, 1870.

An act to prohibit the sale of ardent spirits in Morgan county.

An act to prevent the sale of spirituous liquors within one mile of East Hickman Baptist Church, in Fayette county.

An act allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town.

An act to prohibit the sale of intoxicating liquors in and near the town of Spottsville, in Henderson county.

An act to amend an act prohibiting the sale of intoxicating drink in Rockcastle county.

An act for the benefit of Gilead Presbyterian Church, in Bath county.

An act to incorporate the Falls City Levee and Bridge Company.

An act to amend an act incorporating College Street Presbyterian Church, of Louisville.

An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden.

An act to incorporate the Commercial Bank of Lebanon

An act to prevent the destruction of fish in Little Kentucky river, in Carroll and Trimble counties.

An act prohibiting the sale of spirituous liquors in Garrard county.

An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county.

An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county.

And that they had passed bills of the following titles, viz:

1. An act to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25, 1865.
2. An act to incorporate the Bank of Commerce.
3. An act to incorporate the Shippers' Tobacco Bank.
4. An act to incorporate Greensburg Deposit Bank.
5. An act to incorporate the Uniontown Deposit Bank.

6. An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10, 1869.

7. An act to incorporate the Maysville Building and Savings Association.

8. An act for the benefit of the Bank of Ashland.

9. An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

10. An act to allow jailers compensation for keeping pauper lunatics in the jails of this Commonwealth.

11. An act for the benefit of Levi Jackson, presiding judge of the Laurel county court.

12. An act to amend the charter of the city of Henderson.

13. An act repealing an act, entitled "An act to prevent the destruction of fish in Cumberland river above the falls."

14. An act for the benefit of William Asher, jailer of Josh Bell county.

15. An act for the benefit of W. S. Hicks, sheriff of Henderson county, and his sureties.

16. An act to incorporate the Ohio Valley Railroad Company.

17. An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 22, 1871.

18. An act to amend and explain an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.'"

19. An act for the benefit of Polk Ditto, sheriff of Henry county.

20. An act for the benefit of Lee county.

21. An act to amend the charter of Leesburg.

22. An act for the benefit of the county judge of Henry county.

23. An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company.

24. An act to incorporate the town of Beattyville, in Lee county.

25. An act allowing David Pryse, Z. T. Martin, and James M. Beatty to construct wharves at their respective landings at Beattyville.

26. An act to prohibit the granting of license to sell wine or spirituous liquors in or near the town of Benton, in Marshall county.

27. An act to prohibit the sale of spirituous, vinous, or malt liquors within half a mile of Mount Gilead and Macedonia Churches, near Allensville, in Todd county.

28. An act to amend the charter of the town of Fitchburg, in Estill county.

29. An act for the benefit of James Rhea Boyd.

30. An act to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10, 1871.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

*Ordered*, That they be referred—the 1st to the Committee on Printing; the 2d, 3d, 4th, 5th, 6th, and 8th to the Committee on Banks; the 7th, 12th, 21st, 23d, and 24th to the Committee on Corporate Institutions; the 9th, 26th, 27th, and 28th to the Committee on Religion; the 10th and 19th to the Committee on Ways and Means; the 11th, 14th, 15th, 20th, and 22d to the Committee on County Courts; the 13th to the Committee on Agriculture and Manufactures; the 16th, 17th, and 18th to the Committee on Railroads; the 25th to the Committee on Internal Improvement; the 29th to the Committee on the Judiciary; and the 30th to the Committee on the Revised Statutes.

Leave was given to bring in the following bills, viz:

On motion of Mr. Corbett—

1. A bill for the benefit of Mrs. Fannie S. George, of Ballard county.

On motion of Mr. Griffith—

2. A bill to amend an act, entitled "An act to amend the charter of the Louisville, Memphis, and New Orleans Railway Company."

*Ordered*, That the Committee on County Courts prepare and bring in the 1st, and the Committee on Railroads the 2d.

Mr. Robertson presented the petition of citizens of Hillsboro and vicinity, praying the enactment of a certain law for the benefit of the Hillsboro and Wyoming Turnpike Road Company.

Which was received, the reading dispensed with, and referred to the Committee on the Revised Statutes.

On motion, leave of absence, indefinitely, was granted to Mr. Cook.

Mr. J. A. Bell, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the town of Lancaster,

Reported the same with an amendment thereto.

Mr. Corbett moved to recommit the bill and amendment to the Committee on Corporate Institutions.

And the question being taken on the motion of Mr. Corbett, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sellers and Bell, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. S. Lawson, | Joseph T. Tucker, |
| W. W. Ayers, | Wm. J. McElroy, | T. W. Varnon, |
| Church H. Blakey, | W. A. Morin, | C. H. Webb, |
| R. L. Cooper, | Lewis Potter, | F. A. Wilson, |
| Thomas H. Corbett, | E. A. Robertson, | S. H. Woolfolk, |
| Clinton Griffith, | L. W. Tratton, | J. M. Wright—19. |
| L. W. Lassing, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | John W. Dyer, | John Rowan, |
| A. C. Armstrong, | W. H. Evans, | John P. Rowlett, |
| G. W. Bailey, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| W. N. Beckham, | T. J. Jones, | C. C. Scales, |
| John A. Bell, | G. W. Little, | Wm. Sellers, |
| S. C. Bell, | J. A. McCampbell, | James W. Snyder, |
| J. C. S. Blackburn, | Bryan S. McClure, | J. S. Taylor, |
| Thomas P. Cardwell, | M. E. McKenzie, | George M. Thomas, |
| John S. Carpenter, | Wm. Mynhier, | C. W. Threlkeld, |
| George Carter, | J. L. Nall, | E. F. Waide, |
| B. E. Cassilly, | Mat. Nunan, | J. M. White, |
| Wm. G. Conrad, | Julian N. Phelps, | Jonas D Wilson, |
| J. E. Cosson, | Hiram S. Powell, | J. N. Woods—39. |

Mr. Corbett then offered an amendment to the amendment proposed by the committee, which was rejected.

The amendment proposed by the committee was then adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Blackburn, a committee, consisting of Messrs. Blackburn and Robertson, was appointe l, to act in conjunction with a similar committee from the Senate, to wait upon the Governor, and to request him to return unsigned an enrolled bill, which originated in the House of Representatives, of the following title, viz :

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

Mr. Corbett, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to protect the interest of the State in turnpike roads and bridges.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed, and that the consideration of the same be postponed to, and made the special order of the day for, Thursday, the 7th inst., at 11½ o'clock, A. M.

Bills from the Senate, of the following titles, were reported, without amendment, by the committees to whom they had been referred, viz:

By Mr. Scales, from the Committee on Corporate Institutions—

An act to amend an act, entitled "An act to amend the charter of the town of Elizabethtown."

By same—

An act to amend an act, entitled "An act further to amend the acts in relation to Elizabethtown, and to extend its bounds," approved March 11, 1867.

By same—

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown."

By Mr. Blakey, from the same committee—

An act to amend and reduce into one the several acts incorporating the town of Brookville, in Bracken county.

By Mr. Scales, from the same committee—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Jefferson Southern Pond Draining Company,'" approved March 9, 1868.

By same—

An act to incorporate the Newport Gas-light and Fuel Company.

By same—

An act to amend the charter of the city of Henderson.

By same—

An act to incorporate the Woodland Market-house Company, of Louisville.

By same—

An act to incorporate Barlow City, in Ballard county.

By same—

An act to incorporate the Benevolent Society in the city of Paducah.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton."

By Mr. J. A. Bell, from the same committee—

An act amending the charter of the Louisville and Shepherdsville Turnpike Road Company.

By same—

An act to amend the charter of the town of Owenton.

By same—

An act to amend an act, entitled "An act to amend the charter of Hartford," approved March 2, 1867.

By same—

An act to incorporate the Hopkinsville Gas and Mining Company.

By same—

An act to amend the charter of the town of Crittenden, Grant county.

By same—

An act to re-enact and amend an act, entitled "An act to incorporate the town of Carrsville, in Livingston county."

By same—

An act to amend an act, entitled "An act to amend the charter of the American Printing House for the Blind," approved April 3, 1861.

By same—

An act to incorporate the Owenton and Twin Creek Turnpike Road Company.

By same—

An act to incorporate the Pewee Valley Cemetery Company.

By Mr. Corbett, from the Committee on Internal Improvement—

An act for the benefit of the Tuckyhoe Ridge Turnpike Road Company, in Mason county.

By same—

An act to release persons heretofore required to work out their road tax on the Murphysville Road, in Mason county, therefrom.

By same—

An act for the benefit of the Middleburg and Liberty Turnpike Road Company.

By Mr. Woolfolk, from the Committee on Corporate Institutions—

An act to amend an act to incorporate the town of Smith's Grove.

By Mr. Scales, from the same committee—

An act to incorporate the Carrsville Silver and Lead Mining Company.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Ayers, from the Committee on Religion.

A bill to amend the charter of the town of Hustonville, and amendments thereto.

By Mr. Scales, from the Committee on Corporate Institutions—

A bill appointing trustees for Williamstown Cemetery, in Grant county.

By same—

A bill to revise, amend, and reduce into one the acts pertaining to the district of Highlands, in the county of Campbell.

By same—

A bill to amend the charter of the town of Upton.

By same—

A bill to incorporate the Colored Agricultural and Mechanical Association of Woodford county.

By same—

A bill to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating Sherburn Bridge Company,'" approved March 14, 1871.

By same—

A bill to incorporate Mount Carmel Baptist Church, in Muhlenburg county.

By same—

A bill to incorporate the Joint Stock Agricultural and Mechanical Association of Colored People, of Madison county.

By same—

A bill to enlarge the boundaries of the town of Morganfield, in Union county.

By same—

A bill to amend the charter of Owensboro.

By same—

A bill to incorporate the town of Cairo, in Henderson county.

By same—

A bill to amend the charter of the Kentucky Association for the Improvement of the Breed of Stock.

By same—

A bill to incorporate the Church Aid Society.

By same—

A bill for the consolidation and incorporation of the towns of Milton and Kingston, in Trimble county.

By same—

A bill to incorporate Needham Lodge, No. 174, in Caverna, Hart county, I. O. G. T.

By same—

A bill to incorporate the Southwestern Kentucky Agricultural and Stock-raising Association.

By same—

A bill to amend the charter of the St. Bernard Coal Company.

By same—

A bill to incorporate the Frankfort Commonwealth Printing Company.

By same—

A bill to authorize the city of Hopkinsville and county of Christian to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company.

By same—

A bill legalizing certain orders of the Mercer county court.

By same—

A bill to extend and enlarge the corporate limits of the town of Albany, in Clinton county.

By Mr. Blakey, from the same committee—

A bill to incorporate the town of Demossville, Pendleton county.

By same—

A bill to incorporate the town of Wingo, in Graves county.

By same—

A bill to amend the charter of Dixon, in Webster county.

By same—

A bill to amend the charter of the town of Ashland.

By same—

A bill to amend the charter of Lancaster Cemetery Company.

By same—

A bill to authorize the trustees of the Hancock Seminary to dispose of a lot of ground in Hancock county.

By same—

A bill for the benefit of James Vinson and others, in Hardin county.

By Mr. Woolfolk, from the same committee—

A bill to amend and reduce into one the several acts concerning the town of Madisonville.

By same—

A bill to amend the charter of the town of Curdsville, in Daviess county.

By same—

A bill to amend and reduce into one the several acts incorporating the town of Milburn, in Ballard county.

By same—

A bill to amend the charter of the Paducah Gas-light Company.

By same—

A bill to incorporate the Owingsville Cemetery Company.

By same—

A bill to incorporate the Cross Roads and Cornishville Turnpike Road Company.

By same—

A bill to amend the charter of Bryantsville, and further amend an act approved February 14, 1871.

By same—

A bill to amend chapter No. 315 of acts of 1869–'70, entitled "An act to incorporate Rio Bridge Company."

By same—

A bill to incorporate the Pendleton County Stock Association.

By same—

A bill to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond."

By same—

A bill to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company.

By Mr. Bailey, from the same committee—

A bill to incorporate the J. M. S. McCorkle Lodge, No. 355, of Ancient York Free Masons.

By same—

A bill to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7, 1850.

By same—

A bill to amend the charter of the town of Cloverport.

By same—

A bill to amend an act, entitled "An act to reduce into one the several acts regulating the Butler Seminary."

By same—

A bill to incorporate the town of Marshall, in Bath county.

By same—

A bill to incorporate the Silas and Townsend Turnpike Company.

By Mr. Scales, from the same committee—

A bill to amend the charter of the town of Slaughtersville, Webster county.

By Mr. Woolfolk, from the same committee—

A bill to amend and reduce into one the several acts concerning the town of Glasgow.

By Mr. Corbett, from the Committee on Internal Improvement—

A bill to incorporate the Liberty and Green River Turnpike Road, in Casey county.

By same—

A bill to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of Augusta, in Bracken county;

An act to amend and reduce into one the several acts in relation to the town of Calhoun;

An act to change the name of the Hopkinsville Coal, Iron Mining, and Manufacturing Company;

An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved the 22d day of March, 1871;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal the charter of the Providence Mining, Manufacturing, and Shipping Company;

An act for the benefit of George W. McClure, coroner of Rockcastle county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Mr. Corbett, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to protect fish in Kentucky river and its tributaries.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Blakey offered an amendment thereto.

Mr. Speaker (McCreary) offered an amendment to the amendment proposed by Mr. Blakey.

Mr. Thomas moved to lay the bill and amendments on the table.

And the question being taken on the motion of Mr. Thomas, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and McAfee, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | J. S. Taylor, |
| Wm. A. Allen, | W. H. Evans, | George M. Thomas, |
| A. C. Armstrong, | T. J. Jones, | C. W. Threlkeld, |
| W. W. Ayers, | L. W. Lassing, | Harry I. Todd, |
| G. W. Bailey, | Bryan S. McClure, | L. W. Trafton, |

| | | |
|---|---|---|
| J. A. Bell, | W. A. Morin, | T. W. Varnon, |
| S. C. Bell, | Lewis Potter, | Jonas D. Wilson, |
| John S. Carpenter, | John Rowan, | S. H. Woolfolk, |
| George Carter, | C. C. Scales, | J. M. Wright—28. |
| Wm. G. Conrad, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. N. Beckham, | J. S. Lawson, | W. L. Reeves, |
| J. C. S. Blackburn, | G. W. Little, | E. A. Robertson, |
| Church H. Blakey, | J. J. McAfee, | John P. Rowlett, |
| Thomas P. Cardwell, | J. A. McCampbell, | Samuel M. Sanders, |
| B. E. Cassilly, | Wm. J. McElroy, | Joseph T. Tucker, |
| R. L. Cooper, | M. E. McKenzie, | E. F. Waide, |
| Thomas H. Corbett, | Wm. Mynhier, | C. H. Webb, |
| John W. Dyer, | J. L. Nall, | J. M. White, |
| Wm. Cassius Goodloe, | Mat. Nunan, | F. A. Wilson, |
| C. P. Gray, | Julian N. Phelps, | J. N. Woods—32. |
| Clinton Griffith, | Hiram S. Powell, | |

Mr. Speaker (McCreary)—Mr. Waide being in the Chair—moved to recommit the bill to the Committee on Revised Statutes, with instructions to report a bill to exempt from the operation of said bill such counties as the members therefrom should indicate.

Mr. Griffith called for a division of the question.

But, before further action on the bill, the hour of 2 o'clock, P. M., arrived, when, under the rule,

The House adjourned.

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## TUESDAY, MARCH 5, 1872.

The following petition and remonstrances were presented, viz:

By Mr. Blakey—

1. The petition of certain citizens of Logan county, praying for an extension of the time within which merchants' accounts may be collected.

By Mr. Mynheir—

2. The remonstrance of certain citizens of Morgan county, against a change of the boundary line of said county.

By Mr. Powell—

3. The remonstrance of certain citizens of Fitchburg, against any amendment to their town charter.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Revised Statutes; the 2d to the Committee on Propositions and Grievances; and the 3d to the Committee on Corporate Institutions.

Mr. Corbett, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company,

Reported the same, with an amendment thereto as a substitute.

Said amendment was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Conrad moved to reconsider the vote by which, on yesterday, the House passed a bill from the Senate, entitled

An act to amend the charter of the town of Crittenden, Grant county.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

The question was then again taken on the passage of said bill, and it was decided in the negative.

And so said bill was disagreed to.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gray—

1. A bill to legalize certain orders of the Clinton county court.

On motion of Mr. Bates—

2. A bill to change the time of holding the Barren circuit court.

*Ordered*, That the Committee on Revised Statutes prepare and bring in the 1st; and a select committee, consisting of Messrs. Beckham, Morin, and Waring, the 2d.

Mr. McAfee read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this General Assembly adjourns on the 15th day of March, 1872, it adjourn to meet the first Tuesday in January, 1873.

A message was received from the Senate, asking leave to withdraw from the House of Representatives the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to protect small birds in Bracken county.

Said leave was granted, and the bill delivered to the Senate messenger.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Corbett, from the Committee on Internal Improvement—

An act to amend the charter of the Paducah and Illinois Bridge Company.

By same—

An act to incorporate the Southside Turnpike Road Company.

By same—

An act to exempt footmen from bridge toll.

By same—

An act to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company.

By same—

An act to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company.

By same—

An act to amend the charter of the Big Sandy Navigation and Manufacturing Company.

By same—

An act for the benefit of William Day, of Breathitt county.

By same—

An act to incorporate the Smithfield and Pendleton Turnpike or Gravel Road Company.

By same—

An act to incorporate the Eagle Creek, Dallasburg, and Bethel Turnpike Road Company.

By same—

An act to incorporate the Catnip Hill Turnpike Road Company, in Jessamine county.

By same—

An act allowing David Pryse, Z. T. Martin, and James M. Beatty to construct wharves at their respective landings at Beattyville.

By same—

An act to incorporate the Green River Lock and Dam Company.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Beckham, from a select committee—

A bill to change the time of holding the Barren circuit court.

By Mr. Scales, from the Committee on Corporate Institutions—

A bill to incorporate the Valley City Town Company.

By same—

A bill to incorporate the town of Claremont, in Kenton county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

According to order, the House took up for further consideration a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky.

On motion of Mr. Waide, said bill was committed to a committee of the whole House.

And thereupon the House resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Waide being called to, the Chair. And, after a time, the committee rose, the Speaker resumed the Chair, and Mr. Waide, the Chairman, reported that the committee had had under consideration the bill aforesaid; but not having completed the same, the committee had risen, and directed him to ask leave to sit again to-morrow at 10½ o'clock, A. M.

Mr. Chrisman, from the joint committee of conference on the subject of the disagreement of the two Houses on the amendment

proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates,

Made the following report, viz:

The Committee of Conference upon the part of the two Houses, raised upon the subject of the disagreement of the two Houses on the amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled "An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder *thirty-three* per cent. upon former rates," a majority of said committee concurring, have agreed, and recommend, that the Senate recede from its amendment and concur in the bill passed by the House of Representatives.

W. L. CONKLIN, *Chairman.*
J. B. HAYDON,
JAMES F. CLAY,
JAMES S. CHRISMAN,

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Franklin Academic Institute;

An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off the public roads;

An act to amend the charter of the city of Maysville;

An act to amend the charter of the city of Paducah;

An act to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport election precinct;

An act to amend an act, entitled "An act to amend 'An act to incorporate the Red River Iron Manufacturing Company,'" approved 13th February, 1872;

An act to amend the charter of the city of Covington;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the city of Columbus, in Hickman county;

An act to amend the town charter of New Market, in Marion county;

An act for the benefit of Farish Arnett, of Magoffin county;

An act for the benefit of Mary W. Livingston, of Rockcastle county;

An act to amend the charter of the town of Franklin;

An act to supply public books for Kenton and Campbell counties;

An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a school-house in said district;

An act for the benefit of J. M. Forgy, school commissioner of Butler county;

An act for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county;

An act to charter the Eddyville Male and Female Academy, in Lyon county;

An act to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts;"

An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties;

An act for the benefit of school district No. 16, in Fulton county;

An act to amend an act, entitled "An act to establish a graded school at St. James College, in Shelbyville, Shelby county;"

A act for the benefit of common schools in Kentucky;

An act to provide for the redistricting of the school districts of the county of Campbell;

An act authorizing the trustees of common school district No. 4, in McCracken county, to levy and collect a tax for the erection of school buildings;

An act for the benefit of school district No. 26, in Ohio county;

An act for the benefit of John P. Barrett, sheriff of Ohio county, and his securities;

Resolutions directing Governor to cause the remains of late Governor Adair to be reinterred in Frankfort cemetery, and to erect monuments over the graves of Governors Adair and Breathitt;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

The House then took up an unfinished order of yesterday, and proceeded still further to consider a bill, entitled

A bill to protect fish in Kentucky river and its tributaries.

Mr. Speaker McCreary withdrew his motion to recommit said bill to the Committee on the Revised Statutes with instructions.

The amendment offered by Mr. Speaker McCreary to the amendment offered by Mr. Blakey was adopted.

The amendment offered by Mr. Blakey, as amended, was then adopted.

Mr. Blackburn offered an amendment.

Mr. Threlkeld then moved to lay the bill and amendments on the table.

Before action could be had thereon, the hour of two o'clock, P. M., arrived, when, under the rule, the House adjourned.

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## WEDNESDAY, MARCH 6, 1872.

The following petitions and remonstrance were presented, viz:

By Mr. Tucker—

1. The petition of certain citizens of Winchester, praying the passage of an act to prohibit the sale of ardent spirits within one mile of their court-house, except by druggists under the prescription of a physician.

By Mr. McKenzie—

2. The petition of sundry citizens of Trigg county, praying the passage of an act to establish a certain school district and its boundaries.

By Mr. Thomas—

3. The petition of certain citizens of Quincy, Lewis county, to grant them an act of incorporation, with certain restrictions therein named in regard to the sale of intoxicating drinks.

By Mr. Speaker (McCreary)—

4. The petition of certain citizens of Foxtown precinct, Madison county, praying the repeal of a certain act in relation to the sale of spirituous liquors therein.

By same—

5. The remonstrance of certain other citizens of same place, against the repeal of said act.

Which were received the reading dispensed with, and referred—the 1st, 4th, and 5th to the Committee on Religion; the 2d to the Committee on Propositions and Grievances; and the 3d to the Committee on Revised Statutes.

Leave was given to bring in the following bills, viz:

On motion of Mr. Garnett—

1. A bill for the benefit of Benj. Lewis, of Adair county.

On motion of Mr. Blakey—

2. A bill to exempt fox hounds from taxation.

On motion of same—

3. A bill to amend section 3, article 3, chapter 63, Revised Statutes, title "Limitations of Actions and Suits."

On motion of Mr. Griffith—

4. A bill to empower the Owensboro and Russsellville Railroad Company to bridge the Ohio river at or near the city of Owensboro.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st, 2d, and 3d, and the Committee on Railroads the 4th.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

1. An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

2. An act to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices, in the city of Frankfort.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

*Ordered*, That they be referred—the 1st to the Committee on Railroads, and the 2d to the Committee on Public Offices.

Mr. Robertson, from the joint committee appointed to wait on the Governor and request him to return, unsigned, a bill which originated in this House, entitled

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company,

Reported that they had discharged that duty, and returned said enrolled bill to the Clerk's table.

Mr. Corbett, from the select committee to whom was referred a bill from the Senate, entitled

An act regulating the selling and inspection of tobacco in the city of Louisville,

Reported the same without amendment, and with the expression of opinion of a majority of the committee that the same ought not to pass.

On motion of Mr. Corbett, the consideration of said bill was postponed to, and made the special order of the day for, Friday, the 8th inst., at 10½ o'clock, A. M.

Mr. Corbett, from the same committee, to whom was recommitted a bill, entitled

A bill to repeal the several acts, entitled "An act to regulate the sale and inspection of tobacco in the city of Louisville,"

Reported the same without amendment, and with the expression of opinion of a majority of the committee that said bill ought not to pass.

On motion of Mr. Corbett, the consideration of said bill was postponed to, and made the special order of the day for, Friday next, at 10½ o'clock, A. M.

Mr. Tucker, from the Committee on the Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10, 1871,

Reported the same without amendment.

Mr. Graves offered the following amendment thereto, viz:

Strike out the words "and Judges of the Court of Appeals" from 4th and 5th lines of 1st section.

And the question being taken on the amendment proposed by Mr. Graves, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and McKenzie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| G. W. Bailey, | Wm. J. McElroy, | J. S. Taylor, |
| S. C. Bell, | Wm. Mynhier, | C. W. Threlkeld, |
| E. A. Graves, | E. A. Robertson, | C. H. Webb, |
| G. W. Little, | John Rowan, | S. H. Woolfolk—12. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Julian N. Phelps, |
| Wm. A. Allen, | W. H. Evans, | Lewis Potter, |

| | | |
|---|---|---|
| A. C. Armstrong, | Joseph P. Foree, | John P. Rowlett, |
| A. S. Arnold, | James Garnett, | C. C. Scales, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | Wm. Sellers, |
| Alpheus W. Bascom, | C. P. Gray, | George M. Thomas, |
| W. R. Bates, | E. Polk Johnson, | Joseph T. Tucker, |
| W. N. Beckham, | Thos. M. Johnson, | T. W. Varnon, |
| John A. Bell, | T. J. Jones, | J. L. Waring, |
| J. C. S. Blackburn, | L. W. Lassing, | J. M. White, |
| Wm. F. Bond, | J. S. Lawson, | Mordecai Williams, |
| W. B. M. Brooks, | J. J. McAfee, | F. A. Wilson, |
| John S. Carpenter, | J. A. McCampbell, | Jonas D. Wilson, |
| James S. Chrisman, | Bryan S. McClure, | J. N. Woods, |
| R. L. Cooper, | T. J. Megibben, | J. M. Wright—47. |
| Thomas H. Corbett, | W. A. Morin, | |

And so said amendment was rejected.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section one of an act, entitled "An act to revise, digest, and compile the Statute Laws and Codes of Practice of Kentucky," approved March 10th, 1871, be, and the same is hereby, amended as follows, to-wit: The Governor and Judges of the Court of Appeals shall nominate, and by and with the advice and consent of the Senate appoint, five Commissioners to revise the Statute Laws and Codes of Practice of Kentucky, who shall meet, commence, and conclude their labors, as therein provided. Two of said Commissioners shall be appointed to revise the Statute Laws, and two to revise the Codes of Practice, and the other Commissioner shall assist in the labors of each revision, and act as umpire at the joint meetings of all the Commissioners, which shall be called at any time by the umpire or a majority of the Commissioners.

§ 2. The amount for which the Auditor shall draw his warrant shall not exceed ten dollars per day to each Commissioner, and neither of said Commissioners shall receive more than eighteen hundred dollars for his services, and mileage for one trip only, going and returning.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill.

The yeas and nays being taken thereon were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | M. Woods Ferguson, | T. J. Megibben, |
| A. C. Armstrong, | James B. Fitzpatrick, | Lewis Potter, |
| A. S. Arnold, | Joseph P. Foree, | Hiram S. Powell, |
| R. Tarv. Baker, | James Garnett, | W. L. Reeves, |
| W. N. Beckham, | Wm. Cassius Goodloe, | George M. Thomas |
| John A. Bell, | C. P. Gray, | Joseph T. Tucker, |
| J. C. S. Blackburn, | Clinton Griffith, | T. W. Varnon, |
| John S. Carpenter, | George M. Jessee, | E. F. Waide, |

| | | |
|---|---|---|
| B. E. Cassilly, | E. Polk Johnson, | J. L. Waring, |
| James S. Chrisman, | T. J. Jones, | F. A. Wilson, |
| R. L. Cooper, | J. S. Lawson, | J. N. Woods, |
| Thomas H. Corbett, | J. J. McAfee, | S. H. Woolfolk—38. |
| J. E. Cosson, | J. A. McCampbell, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | L. W. Lassing, | John P. Rowlett, |
| W. W. Ayers, | G. W. Little, | Samuel M. Sanders, |
| G. W. Bailey, | Bryan S. McClure, | C. C. Scales, |
| Alpheus W. Bascom, | William J. McElroy, | Wm. Sellers, |
| S. C. Bell, | J. C. Moorman, | J. S. Taylor, |
| Church H. Blakey, | W. A. Morin, | C. W. Threlkeld, |
| Wm. F. Bond, | Wm. Mynhier, | C. H. Webb, |
| W. B. M. Brooks, | J. L. Nall, | J. M. White, |
| Robert M. Carlisle, | Mat. Nunan, | Mordecai Williams, |
| Joseph M. Davidson, | Julian N. Phelps, | Jonas D. Wilson, |
| E. A. Graves, | E. A. Robertson, | J. M. Wright—35. |
| T. M. Johnson, | John Rowan, | |

The Speaker reserved for further consideration the question as to whether or not the bill had passed by the vote just taken.

Mr. Davidson, from the Committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled

An act for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Martin, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher,

Reported the same without amendment.

Mr. McAfee offered the following amendment thereto, viz:

Add to bill: *Provided*, That those taking out patents shall pay into the Treasury a sufficient compensation for the labor performed in the Land Office.

Mr. Chrisman offered a substitute by way of amendment for the amendment proposed by Mr. McAfee, which was rejected.

The question was then taken on the amendment proposed by Mr. McAfee, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and McAfee, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| G. W. Bailey, | J. J. McAfee, | Samuel M. Sanders, |
| J. C. S. Blackburn, | J. L. Nall, | J. S. Taylor, |
| James S. Chrisman, | E. A. Robertson, | C. W. Threlkeld, |
| E. A. Graves, | John Rowan, | Joseph T. Tucker, |
| T. M. Johnson, | J. R. Sanders, | J. M. White—15. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | W. A. Morin, |
| Wm. A. Allen, | Joseph M. Davidson, | Wm. Mynhier, |

| | | |
|---|---|---|
| A. S Arnold, | John W. Dyer, | Mat. Nunan, |
| W. W. Ayers, | W. H. Evans, | Julian N. Phelps, |
| R. Tarv. Baker, | M. Woods Ferguson, | Lewis Potter, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | Hiram S. Powell, |
| W. R. Bates, | James Garnett, | C. C. Scales, |
| W. N. Beckham, | Wm. Cassius Goodloe, | William Sellers, |
| John A. Bell, | C. P. Gray, | George M. Thomas, |
| S. C. Bell, | George M. Jessee, | T. W. Varnon, |
| Church H. Blakey, | L. W. Lassing, | E. F. Waide, |
| Wm. F. Bond, | J. S. Lawson, | J. L. Waring, |
| W. B. M Brooks, | G. W. Little, | F. A. Wilson, |
| Robert M. Carlisle, | J. A. McCampbell, | Jonas D. Wilson, |
| George Carter, | Bryan S. McClure, | J. N. Woods, |
| B. E. Cassilly, | William J. McElroy, | S. H. Woolfolk, |
| R. L. Cooper, | J. C. Moorman, | J. M. Wright—52. |
| Thomas H. Corbett, | | |

And so said amendment was rejected.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McAfee then moved to reconsider the vote by which said bill was passed.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John B. Greenwell, of Owen county.

An act for the appointment of official reporters, and for the preservation of evidence in certain cases, in Jefferson county.

An act to amend the charter of the town of Bowling Green.

An act for the benefit of the Cleaveland Orphan Asylum.

An act to authorize the clerk of the Todd county court to make a cross-index to all the deeds in his office.

An act for the benefit of W. B. Stivers, school commissioner of Madison county.

An act to incorporate the town of Montgomery, in Trigg county.

An act for the benefit of Wm. Cummins and his sureties.

An act to amend an act, entitled "An act to incorporate the Mt. Sterling and Spencer Creek Turnpike Road Company," approved May 24, 1861.

An act for the benefit of Solomon Tingle, of Henry county.

An act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits in said court, and continue the same.

An act to amend an act, entitled "An act to incorporate the Grand Central Industrial Exposition," approved February 16th, 1872.

An act to amend an act, entitled "An act to prevent justices of the peace in Kenton county from holding inquests in certain cases," approved March 22, 1871.

A act to amend section 39th of the city charter of Owensboro.

An act to incorporate the Christian County Bank.

An act to incorporate the Paducah and North Ballard Turnpike Road Company.

On motion of Mr. Armstrong, the further consideration of a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

Was postponed to, and made the special order of the day for, to-morrow, at 10½ o'clock, A. M.

Mr. Rowlett, from the Committee on Enrollments, reported that they had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of Hartford," approved March 2, 1867;

An act to release persons heretofore required to work out their road tax on the Murphysville Road, in Mason county, therefrom;

An act to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South;

An act to amend an act, entitled "An act to incorporate the town of Brownsville, in Edmonson county," approved February 15th, 1860;

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown;"

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of citizens of Jackson county in relation to the Wilderness Turnpike Road;"

An act to amend the charter of the Lexington Library;

An act for the benefit of Merrell Hardin;

An act to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek;

An act for the benefit of Geo. W. Brown, of Letcher county;

An act to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county;

An act to prevent the destruction of fish in Cumberland and Tennessee rivers and their tributaries;

An act for the benefit of Samuel Biggerstaff, of Madison county;

An act to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendments thereto;"

An act to define the meaning of the word creditor, as used in the Revised Statutes and Civil Code of Practice, and in acts amendatory thereof;

An act for the benefit of J. J. Wood, late sheriff of Clinton county, and his securities;

An act to prevent the sale of spirituous liquors at retail in the Peak's Mill voting precinct, in Franklin county;

An act to prohibit the sale of ardent spirits in Morgan county;

An act to prevent the sale of spirituous liquors within one mile of East Hickman Baptist Church, in Fayette county;

An act allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town;

An act for the benefit of Gilead Presbyterian Church, in Bath county;

An act to amend an act incorporating College Street Presbyterian Church, of Louisville;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

According to order, the House took up for consideration a resolution heretofore offered by Mr. Blakey in relation to a final adjournment of this General Assembly.

Mr. McAfee moved to amend the same by striking out all after the word "Kentucky," and inserting the following in lieu thereof, viz:

That when this General Assembly adjourns on the 15th of March, 1872, it will adjourn to meet the first Tuesday in January, 1873.

And the question being taken on the adoption of the amendment proposed by Mr. McAfee, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph P. Foree, | E. A. Robertson, |
| A. C. Armstrong, | E. Polk Johnson, | J. P. Sacksteder, |
| A. S. Arnold, | L. W. Lassing, | C. C. Scales, |
| Alpheus W. Bascom, | J. S. Lawson, | George M. Thomas, |
| W. R. Bates, | J. J. McAfee, | Joseph T. Tucker, |
| George Carter, | T. J. Megibben, | T. W. Varnon, |
| Joseph M. Davidson, | W. A. Morin, | J. M. White, |
| John W. Dyer, | Wm. Mynhier, | Mordecai Williams, |
| M. Woods Ferguson, | Hiram S. Powell, | J. M. Wright—28. |
| James B. Fitzpatrick, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. H. Evans, | Lewis Potter, |
| W. W. Ayers, | James Garnett, | W. L. Reeves, |
| G. W. Bailey, | Wm. Cassius Goodloe, | John Rowan, |
| R. Tarv. Baker, | E. A. Graves, | John P. Rowlett, |
| W. N. Beckham, | C. P. Gray, | J. R. Sanders, |
| John A. Bell, | Clinton Griffith, | Samuel M. Sanders, |
| S. C. Bell, | George M. Jessee, | William Sellers, |
| J. C. S. Blackburn, | T. M. Johnson, | J. S. Taylor, |
| Church H. Blakey, | T. J. Jones, | C. W. Threlkeld, |
| Wm. F. Bond, | J. A. McCampbell, | E. F. Waide, |
| W. B. M. Brooks, | Bryan S. McClure, | J. L. Waring, |
| Robert M. Carlisle, | William J. McElroy, | C. H. Webb, |
| John S. Carpenter, | M. E. McKenzie, | F. A. Wilson, |
| B. E. Cassilly, | J. C. Moorman, | Jonas D. Wilson, |
| James S. Chrisman, | J. L. Nall, | J. N. Woods, |
| R. L. Cooper, | Mat. Nunan, | S. H. Woolfolk—50. |
| Thomas H. Corbett, | Julian N. Phelps, | |

And so said amendment was rejected.

The further consideration of said resolution was suspended by the arrival of the hour for taking up the orders of the day.

Mr. Rowlett moved to suspend the rule requiring the House to take up the orders of the day at this hour.

And the question being taken on the motion of Mr. Rowlett, it was decided in the negative, two thirds not having voted therefor.

The yeas and nays being required thereon by Messrs. Dyer and Arnold, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Wm. Cassius Goodloe, | John Rowan, |
| W. W. Ayers, | E. A. Graves, | John P. Rowlett, |
| G. W. Bailey, | C. P. Gray, | Samuel M. Sanders, |
| W. N. Beckham, | Thos. M. Johnson, | C. W. Threlkeld, |
| S. C. Bell, | T. J. Jones, | Joseph T. Tucker, |

| | | |
|---|---|---|
| J. C. S. Blackburn, | Bryan S. McClure, | E. F. Waide, |
| Church H. Blakey, | Wm. J. McElroy, | C. H. Webb, |
| W. B. M. Brooks, | M. E. McKenzie, | J. M. White, |
| Robert M. Carlisle, | J. C. Moorman, | Mordecai Williams, |
| John S. Carpenter, | J. L. Nall, | F. A. Wilson, |
| George Carter, | Julian N. Phelps, | Jonas D. Wilson, |
| James S. Chrisman, | Lewis Potter, | J. N. Woods, |
| James Garnett, | W. L. Reeves, | S. H. Woolfolk—39. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Mat. Nunan, |
| A. C. Armstrong, | James B. Fitzpatrick, | Hiram S. Powell, |
| A. S. Arnold, | Joseph P. Foree, | E. A. Robertson, |
| R. Tarv. Baker, | Clinton Griffith, | J. R. Sanders, |
| W. R. Bates, | E. Polk Johnson, | C. C. Scales, |
| John A. Bell, | L. W. Lassing, | William Sellers, |
| Wm. F. Bond, | J. S. Lawson, | J. S. Taylor, |
| B. E. Cassilly, | G. W. Little, | G. M. Thomas, |
| R. L. Cooper, | J. J. McAfee, | T. W. Varnon, |
| Thomas H. Corbett, | T. J. Megibben, | J. L. Waring, |
| J. E. Cosson, | W. A. Morin, | J. M. Wright—36. |
| John W. Dyer, | Wm. Mynhier, | |

The House then took up from the orders of the day, and proceeded to consider further, a bill, entitled

A bill to protect fish in Kentucky river and its tributaries.

The question was then taken on the motion of Mr. Threlkeld, made on yesterday, to lay said bill and amendments on the table, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | T. M. Johnson, | C. C. Scales, |
| A. S. Arnold, | L. W. Lassing, | Wm. Sellers, |
| G. W. Bailey, | Bryan S. McClure, | J. S. Taylor, |
| Alpheus W. Bascom, | T. J. Megibben, | George M. Thomas, |
| John A. Bell, | J. C. Moorman, | C. W. Threlkeld, |
| Wm. F. Bond, | Lewis Potter, | T. W. Varnon, |
| Robert M. Carlisle, | Hiram S. Powell, | Jonas D Wilson, |
| John S. Carpenter, | John Rowan, | S. H. Woolfolk, |
| James S. Chrisman, | J. R. Sanders, | J. M. Wright—28. |
| John W. Dyer, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Wm. Cassius Goodloe, | Julian N. Phelps, |
| A. C. Armstrong, | E. A. Graves, | W. L. Reeves, |
| R. Tarv. Baker, | C. P. Gray, | E. A. Robertson, |
| W. N. Beckham, | Clinton Griffith, | John P. Rowlett, |
| S. C. Bell, | E. Polk Johnson, | Samuel M. Sanders, |
| J. C. S. Blackburn, | J. S. Lawson, | Joseph T. Tucker, |

| | | |
|---|---|---|
| Church H. Blakey, | G. W. Little, | E. F. Waide, |
| W. B. M. Brooks, | J. J. McAfee, | J. L. Waring, |
| B. E. Cassilly, | J. A. McCampbell, | C. H. Webb, |
| R. L. Cooper, | M. E. McKenzie, | J. M. White, |
| W. H. Evans, | Wm. Mynhier, | F. A. Wilson, |
| Joseph P. Foree, | J. L. Nall, | J. N. Woods—36. |

Further consideration of said bill was postponed by the arrival of the hour for taking up a special order.

And then, in pursuance to order, Mr. Blackburn, from the select committee to whom the same was recommitted, reported

A bill to amend the revenue laws of this Commonwealth,

With sundry amendments thereto.

Mr. Graves offered an amendment to the amendments proposed by the committee.

The hour of two o'clock, P. M., having arrived, under the rule, the House then adjourned.

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## THURSDAY, MARCH 7, 1872.

The following petition and remonstrances were presented, viz:

By Mr. Robertson—

1. The petition of certain citizens of Millersburg precinct, asking the passage of an act submitting to the qualified voters of said precinct the question of suppressing the sale of spirituous liquors therein.

By Mr. Garnett—

2. The remonstrance of W. M. Green, of Jamestown, against the passage of an act to close certain streets and alleys in said town.

By Mr. Deaderick—

3. The remonstrance of citizens of Knoxville, Pendleton county, against the passage of an act to allow ardent spirits to be sold in said district.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Religion, and the 2d to the Committee on the Judiciary.

On motion, leave of absence, indefinitely, was granted to Mr. Morin.

Mr. Foree presented the petition of certain members of this House in regard to the order of business therein, which was read; and thereupon,

Mr. Foree offered the following resolution, viz:

*Resolved*, That from and after to-day the House will meet at 7½ o'clock, P. M., Saturdays excepted, and remain in session until — P. M., for the purpose of receiving and acting on reports from the standing committees.

Mr. Varnon offered the following amendment as a substitute for the original resolution, viz:

*Resolved*, That for the remainder of this session the House will meet at 9½ o'clock, A. M., take a recess at 1 o'clock, P. M., until 3 o'clock, P. M., and adjourn at 5 o'clock, P. M. At the evening session the business shall be confined to reports from standing committees. The orders of the day shall be called for at 12 o'clock, M.

The question was then taken on the substitute proposed by Mr. Varnon, and it was decided in the affirmative.

The resolution, as amended, was then adopted.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the town charter of New Market, in Marion county.

An act for the benefit of school district No. 26, in Ohio county.

An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a school-house in said district.

An act for the benefit of Mary W. Livingston, of Rockcastle county.

An act for the benefit of common schools in Kentucky.

An act to supply public books for Kenton and Campbell counties.

An act for the benefit of school district No. 16, in Fulton county.

An act to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts."

An act to amend the charter of the town of Franklin.

An act to provide for the redistricting of the school districts of the county of Campbell.

An act for the benefit of Farish Arnett, of Magoffin county.

An act for the benefit of J. M. Forgy, school commissioner of Butler county.

An act authorizing the trustees of common school district No. 4, in McCracken county, to levy and collect a tax for the erection of school buildings.

An act for the benefit of John P. Barrett, sheriff of Ohio county, and his securities

An act to charter the Eddyville Male and Female Academy, in Lyon county.

An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

An act to incorporate the Danville and Nashville Railroad Company.

An act to authorize J. D. Cumbie to change the direction of the State road running through his lands, in Todd county.

An act to incorporate Salt River College.

An act to repeal the charter of the Providence Mining, Manufacturing, and Shipping Company.

An act for the benefit of George W. McClure, coroner of Rockcastle county.

An act to amend an act, entitled "An act to establish a graded school at St. James College, in Shelbyville, Shelby county."

Resolutions directing Governor to cause the remains of late Governor Adair to be reinterred in Frankfort cemetery, and to erect monuments over the graves of Governors Adair and Breathitt.

On motion of Mr. Rowlett, leave was given to bring in a bill to amend an act in regard to fire-proof vaults, approved February 11th, 1867.

*Ordered*, That the Committee on County Courts prepare and bring in the same.

A message was received from the Senate, announcing that the Senate had refused to concur in the report of the joint committee of conference of the two Houses in regard to their disagreement as to the amendment proposed by the Senate to a bill which originated in this House, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

And that they had passed a bill of the following title, viz:

An act to incorporate the Louisville and Brownsboro Railway Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Railroads.

A message was also received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the penitentiary, and to repair the walls and penitentiary buildings.

An act to incorporate the trustees of the Washington Scientific School, in Mason county.

An act for the benefit of the county of Nelson.

An act for the benefit of Thomas A. Ireland, clerk of the Owen county court.

An act for the benefit of Wm. W. Burns, late sheriff of Robertson county, and his sureties.

An act to change the time for the election of president and directors of the Christian County Agricultural and Mechanical Association.

An act to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association, in Boyle county.

An act supplemental to an act, entitled "An act for the benefit of Knox county," approved March 20, 1871.

An act for the benefit of Samuel Ellis and others.

An act for the benefit of John M. Thomas, of Grayson county.

An act to amend an act, entitled "An act to revise the laws relating to the public schools and academy of the city of Newport," approved February 17, 1860.

An act in relation to the sale of spirituous liquors in Owsley county.

An act in relation to the office of the Quarter-Master General.

An act for the benefit of Harrison Berry, of Nicholas county.

An act for the benefit of the Female Seminary of the city of Paducah.

An act for the benefit of the University of the city of Paducah.

An act amending an act, entitled "An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown."

An act authorizing the trustees of the Baptist Church of Lick Creek, in Gallatin county, to sell and convey certain land belonging to said church.

An act for the benefit of school district No. 26, in Nicholas county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof.

An act authorizing the trustees of Bardstown to levy a tax for the purpose of purchasing a school-house.

The Speaker ruled and announced, that, by the vote taken on the call of the yeas and nays yesterday, on the question of the passage of a bill from the Senate, entitled

An act to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10, 1871,

The said bill was passed.

Mr. Blakey then moved to reconsider the vote by which said bill was passed.

And the question being taken thereon, it was decided in the affirmative.

The question was then again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | Mat. Nunan, |
| A. C. Armstrong, | W. H. Evans, | Lewis Potter, |
| A. S. Arnold, | James B. Fitzpatrick, | Hiram S. Powell, |
| G. W. Bailey, | C. D. Foote, | W. L. Reeves, |
| R. Tarv. Baker, | Joseph P. Foree, | John Rowan, |
| Alpheus W. Bascom, | James Garnett, | J. R. Sanders, |
| W. R. Bates, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. N. Beckham, | C. P. Gray, | James W. Snyder, |
| J. A. Bell, | Wm. A. Hoskins, | George M. Thomas, |
| S. C. Bell, | George M. Jessee, | Harry I. Todd, |
| J. C. S. Blackburn, | T. J. Jones, | L. W. Trafton, |
| Church H. Blakey, | L. W. Lassing, | Joseph T. Tucker, |
| Wm. F. Bond, | J. S. Lawson, | T. W. Varnon, |
| W. B. M. Brooks, | J. J. McAfee, | E. F. Waide, |
| Robert M. Carlisle, | J. A. McCampbell, | J. L. Waring, |

| | | |
|---|---|---|
| John S. Carpenter, | Wm. J. McElroy, | Mordecai Williams, |
| B. E. Cassilly, | M. E. McKenzie, | F. A. Wilson, |
| R. L. Cooper, | T. J. Megibben, | J. N. Woods, |
| J. E. Cosson, | J. C. Moorman, | S. H. Woolfolk, |
| W. W. Deaderick, | W. A. Morin, | J. M. Wright—60. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | G. W. Little, | Samuel M. Sanders, |
| George Carter, | Bryan S. McClure, | Wm. Sellers, |
| James S. Chrisman, | Wm. Mynhier, | J. S. Taylor, |
| Joseph M. Davidson, | J. L. Nall, | C. W. Threlkeld, |
| E. A. Graves, | Julian N. Phelps, | C. H. Webb, |
| T. M. Johnson, | E. A. Robertson, | Jonas D. Wilson—18. |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Trafton, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill to create the office of county treasurer for Campbell county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Owenton and Twin Creek Turnpike Road Company;

An act to incorporate the Benevolent Society in the city of Paducah;

An act to incorporate the Pewee Valley Cemetery Company;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Jefferson Southern Pond Draining Company,'" approved March 9, 1868;

An act to amend an act, entitled "An act to amend the charter of the American Printing House for the Blind," approved April 3, 1861;

An act to re-enact and amend an act, entitled "An act to incorporate the town of Carrsville, in Livingston county;"

An act for the benefit of the Middleburg and Liberty Turnpike Road Company;

An act to incorporate the District of Hayfield, in Campbell county;

An act for the benefit of the Tuckyhoe Ridge Turnpike Road Company, in Mason county;

An act to amend the charter of the city of Henderson;

An act amending the charter of the Louisville and Shepherdsville Turnpike Road Company;

An act to incorporate Barlow City, in Ballard county;

An act to incorporate the Woodland Market-house Company, of Louisville;

An act to incorporate the Mattingly Coal Company;

An act to amend an act, entitled "An act further to amend the acts in relation to Elizabethtown, and to extend its bounds," approved March 11, 1867;

An act to amend an act, entitled "An act to amend the charter of the town of Elizabethtown;"

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton;"

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of ardent spirits in the first and fifth magisterial districts in Todd county;

An act to amend an act in relation to the sale of spirituous liquors in Letcher county, approved March 21, 1870;

An act relating to the sale of ardent spirits in Carter county;

An act to prohibit the sale of intoxicating liquors in and near the town of Spottsville, in Henderson county;

An act to amend an act prohibiting the sale of intoxicating drink in Rockcastle county;

An act to incorporate the Falls City Levee and Bridge Company;

Resolution asking for information in regard to certain insurance companies;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Mr. Waring, from the committee appointed under a resolution heretofore adopted, made the following report, viz:

The select committee, under resolution of the House, directed to report the expense of the contested election of Mordecai Williams

and W. W. Culbertson, submit the following as embracing all the claims in that case, to-wit:

George N. Brown, traveling 300 miles and 8 days' attendance as witness before the committee, $32; Jacob Rice, traveling 300 miles and 8 days' attendance as a witness, $32; W. W. Montague, 2 days' attendance as a witness and 300 miles travel, $26; A. M. Keener, 2 days' attendance as a witness and 300 miles travel, $26; M. L. House, 2 days' attendance as a witness and 300 miles travel, $26; M. F. Hampton, 2 days' attendance as witness and 300 miles travel, $26; O. C. Bowles, 1 day's attendance as a witness and 300 miles travel, $25; Stephen Nethercutt, 4 days' attendance as witness and 300 miles travel, $28; Elias P. Davis, 1 day's attendance as witness and 300 miles travel, $25; amounting in the aggregate to the sum of $246.

The above claims are for the attendance of witnesses summoned by order of the committee, under subpœnas called for by the parties to the contest, and include all claims for expenses before the committee in this case. We therefore recommend the adoption of the following resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be directed to draw his warrant on the Treasury in favor of Geo. N. Brown for the sum of $32; in favor of Jacob Rice for the sum of $32; in favor of W. W. Montague for the sum of $26; in favor of A. H. Keener for the sum of $26; in favor of M. L. House for the sum of $26; in favor of M. F. Hampton for the sum of $26; in favor of O. C. Bowles for the sum of $25; in favor of Stephen Nethercutt for the sum of $28; and in favor of Elias P. Davis for the sum of $25. The said sums to be paid out of any money in the Treasury not otherwise appropriated.

The rule being suspended, the resolution appended thereto was taken up and read twice.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Wm. Mynhier, |
| Wm. A. Allen, | John W. Dyer, | J. L. Nall, |
| A. C. Armstrong, | W. H. Evans, | Hiram S. Powell, |
| A. S Arnold, | James B. Fitzpatrick, | E. A. Robertson, |
| G. W. Bailey, | C. D. Foote, | J. R. Sanders, |
| R. Tarv. Baker, | Joseph P. Foree, | C. C. Scales, |

| | | |
|---|---|---|
| Alpheus W. Bascom, | James Garnett, | James W. Snyder, |
| W. R. Bates, | Wm. Cassius Goodloe, | George M. Thomas, |
| W. N. Beckham, | E. A. Graves, | Harry I. Todd, |
| John A. Bell, | C. P. Gray, | Joseph T. Tucker, |
| S. C. Bell, | Clinton Griffith, | T. W. Varnon, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | E. F. Waide, |
| John S. Carpenter, | George M. Jessee, | J. L. Waring, |
| George Carter, | L. W. Lassing, | F. A. Wilson, |
| B. E. Cassilly, | J. S. Lawson, | Jonas D. Wilson, |
| James S. Chrisman, | Bryan S. McClure, | J. N. Woods, |
| R. L. Cooper, | T. J. Megibben, | S. H. Woolfolk—53. |
| J. E. Cosson, | W. A. Morin, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Church H. Blakey, | J. J. McAfee, | Samuel M. Sanders, |
| Wm. F. Bond, | J. A. McCampbell, | J. S. Taylor, |
| Robert M. Carlisle, | J. C. Moorman, | C. H. Webb, |
| E. Polk Johnson, | Julian N. Phelps, | J. M. Wright—14. |
| T. M. Johnson, | John Rowan, | |

According to order, the House took up for further consideration a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky.

Mr. Carpenter moved that the said bill and amendments be referred to a committee of the whole House.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Reeves and Blackburn, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | James Garnett, | Hiram S. Powell, |
| A. S. Arnold, | Wm. Cassius Goodloe, | J. R. Sanders, |
| G. W. Bailey, | C. P. Gray, | Wm. Sellers, |
| R. Tarv. Baker, | Thos. M. Johnson, | James W. Snyder, |
| S. C. Bell, | G. W. Little, | George M. Thomas, |
| John S. Carpenter, | J. A. McCampbell, | T. W. Varnon, |
| George Carter, | Wm. J. McElroy, | E. F. Waide, |
| James S. Chrisman, | M. E. McKenzie, | Jonas D. Wilson, |
| W. H. Evans, | J. C. Moorman, | S. H. Woolfolk, |
| C. D. Foote, | Mat. Nunan, | J. M. Wright—30. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | W. L. Reeves, |
| Wm. A. Allen, | John W. Dyer, | E. A. Robertson, |
| W. W. Ayers, | James B. Fitzpatrick, | John Rowan, |
| Alpheus W. Bascom, | Joseph P. Foree, | John P. Rowlett, |
| W. R. Bates, | E. A. Graves, | Samuel M. Sanders, |
| John A. Bell, | Clinton Griffith, | C. C. Scales, |

| | | |
|---|---|---|
| J. C. S. Blackburn, | George M. Jessee, | J. S. Taylor, |
| Church H. Blakey, | L. W. Lassing, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. J. McAfee, | L. W. Trafton, |
| Robert M. Carlisle, | Bryan S. McClure, | Joseph T. Tucker, |
| B. E. Cassilly, | T. J. Megibben, | J. L. Waring, |
| R. L. Cooper, | W. A. Morin, | Mordecai Williams, |
| Thomas H. Corbett, | J. L. Nall, | F. A. Wilson, |
| J. E. Cosson, | Julian N. Phelps, | J. N. Woods—44. |
| Joseph M. Davidson, | Lewis Potter, | |

Mr. Blakey then offered an amendment by way of substitute for the bill and amendments, which was rejected.

Mr. Chrisman then moved that said bill and amendments be committed to a committee of the whole House for immediate consideration by said committee.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blackburn and Scales, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph P. Foree, | Wm. Mynhier, |
| Wm. A. Allen, | James Garnett, | J. L. Nall, |
| A. C. Armstrong, | Wm. Cassius Goodloe, | Mat. Nunan, |
| A. S. Arnold, | C. P. Gray, | Julian N. Phelps, |
| G. W. Bailey, | Clinton Griffith, | Lewis Potter, |
| R. Tarv. Baker, | Wm. A. Hoskins, | Hiram S. Powell, |
| John A. Bell, | E. Polk Johnson, | E. A. Robertson, |
| S. C. Bell, | T. M. Johnson, | James W. Snyder, |
| Church H. Blakey, | T. J. Jones, | George M. Thomas |
| W. B. M. Brooks, | J. S. Lawson, | C. W. Threlkeld, |
| John S. Carpenter, | G. W. Little, | Harry I. Todd, |
| George Carter, | Bryan S. McClure, | T. W. Varnon, |
| James S. Chrisman, | William J. McElroy, | E. F. Waide, |
| R. L. Cooper, | M. E. McKenzie, | Jonas D. Wilson, |
| Thomas H. Corbett, | T. J. Megibben, | J. N. Woods, |
| J. E. Cosson, | J. C. Moorman, | S. H. Woolfolk, |
| W. H. Evans, | W. A. Morin, | J. M. Wright—51. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | W. W. Dearderick, | C. C. Scales, |
| Alpheus W. Bascom, | John W. Dyer, | Wm. Sellers, |
| W. R. Bates, | James B. Fitzpatrick, | J. S. Taylor, |
| W. N. Beckham, | E. A. Graves, | L. W. Trafton, |
| J. C. S. Blackburn, | L. W. Lassing, | J. L. Waring, |
| Wm. F. Bond, | W. L. Reeves, | C. H. Webb, |
| Robert M. Carlisle, | John Rowan, | Mordecai Williams, |
| B. E. Cassilly, | John P. Rowlett, | F. A. Wilson—25. |
| Joseph M. Davidson, | | |

And thereupon the House resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Waide being called to, the Chair. And, after a time, the committee rose, the Speaker resumed the Chair, and Mr. Waide, the Chairman, reported that the committee had had under consideration the bill aforesaid, and had made some progress therewith; but not having time to complete the same, the committee had risen, and directed him to ask leave to sit again, which was granted.

Mr. Foote moved to reconsider the vote by which this House, this day, adopted a resolution in regard to the order of business therein, offered by Mr. Varnon.

A message was received from the Senate, announcing that they had passed a bill of the following title, viz:

An act to repeal an act, entitled "An act to create a board of commissioners of the sinking fund of Pendleton county, and the amendments thereto."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Internal Improvement.

Mr. Arnold, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company.

A bill to amend an act, entitled "An act to incorporate the Covington Street Railway Company."

A bill to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," approved January 30, 1872.

A bill in aid of the construction of a levee on the Mississippi river, in Fulton county.

A bill to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company," approved March 6, 1850.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Arnold, from the Committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend the charter of the New Castle and Eminence Turnpike Road;

An act for the benefit of the Murphysville Turnpike Road Company, in Mason county;

An act to repeal an act, entitled "An act to create a board of commissioners of the sinking fund of Pendleton county, and the amendments thereto;"

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Dyer, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to provide for the improvement of Tradewater river.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Rowlett offered an amendment thereto.

Mr. Chrisman offered an amendment to the amendment of Mr. Rowlett.

Pending the consideration thereof the hour of 5 o'clock, P. M., arrived, and, under the resolution adopted to-day,

The House then adjourned.

## FRIDAY, MARCH 8, 1872.

Mr. McAfee presented the petition of citizens of Mercer county, praying legislation for the protection of sheep.

Which was read.

*Ordered*, That the same be referred to the Committee on Agriculture and Manufactures.

Mr. McAfee offered the following resolution, which was referred to the Committee on Agriculture and Manufactures.

*Resolved*, That the Committee on Agriculture and Manufactures be instructed to bring in a bill to protect the sheep within this Commonwealth from the ravages of dogs.

The Speaker laid before the House the following communication, viz:

MAYSVILLE, March 1st, 1872.

*Hon. J. B. McCreary, Speaker House of Representatives, Commonwealth of Kentucky:*

At a recent session of the "Blue-grass Temperance Convention," held in this city, the following resolutions were unanimously adopted:

*Resolved*, That the thanks of the "Blue-grass Temperance Convention" are extended to the members of the present General Assembly of the Commonwealth of Kentucky for the favor and consideration they have shown to all petitions presented to them for the suppression of the sale of ardent spirits in the State.

*Resolved*, That an official copy of this resolution be sent to the Lieutenant Governor and to the Speaker of the House of Representatives, with a request that they cause the same to be communicated to the bodies over which they respectively preside.

We have the honor to be, yours, respectfully,

GEORGE A. LEWIS,
*President Blue-grass Temperance Convention.*

A copy—Attest: GEO. R. GILL, *Secretary.*

The House took up the amendment proposed by the Senate to a bill which originated in this House, entitled

An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden.

Said amendment was concurred in.

The House took up the motion to reconsider the vote by which this House passed a bill from the Senate, entitled

An act for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Martin, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher, in this Commonwealth.

Mr. Davidson then moved to lay the motion to reconsider on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davidson and Fitzpatrick, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Julian N. Phelps, |
| Wm. A. Allen, | James B. Fitzpatrick, | Hiram S. Powell, |
| A. S. Arnold, | Joseph P. Foree, | E. A. Robertson, |
| John A. Bell, | James Garnett, | George M. Thomas, |
| Wm. F. Bond, | Clinton Griffith, | Harry I. Todd, |
| W. B. M. Brooks, | E. Polk Johnson, | L. W. Tratton, |
| George Carter, | T. J. Jones, | T. W. Varnon, |
| J. Guthrie Coke, | L. W. Lassing, | C. H. Webb, |
| William G. Conrad, | J. S. Lawson, | J. M. White, |
| Thomas H. Corbett, | J. C. Moorman, | F. A. Wilson, |
| J. E. Cosson, | Wm. Mynhier, | Jonas D. Wilson, |
| Joseph M. Davidson, | J. L. Nall, | J. N. Woods—36. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| G. W. Bailey, | C. P. Gray, | John Rowan, |
| W. R. Bates, | Wm. A. Hoskins, | J. R. Sanders, |
| S. C. Bell, | T. M. Johnson, | Samuel M. Sanders, |
| Church H. Blakey, | G. W. Little, | C. C. Scales, |
| Thomas P. Cardwell, | J. J. McAfee, | William Sellers, |
| Robert M. Carlisle, | J. A. McCampbell, | James W. Snyder, |
| John S. Carpenter, | Bryan S. McClure, | J. S. Taylor, |
| James S. Chrisman, | Mat. Nunan, | C. W. Threlkeld, |
| C. D. Foote, | Lewis Potter, | E. F. Waide—29. |
| E. A. Graves, | W. L. Reeves, | |

And so said motion to reconsider was laid on the table.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Lexington Library.

An act allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town.

An act to prevent the destruction of fish in Cumberland and Tennessee rivers and their tributaries.

An act to define the meaning of the word creditor, as used in the Revised Statutes and Civil Code of Practice, and in acts amendatory thereof.

An act to amend an act incorporating College Street Presbyterian Church, of Louisville.

An act for the benefit of Samuel Biggerstaff, of Madison county.

An act to amend an act, entitled "An act for the benefit of citizens of Jackson county in relation to the Wilderness Turnpike Road."

An act to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek.

An act for the benefit of Merrell Hardin.

An act for the benefit of Geo. W. Brown, of Letcher county.

An act to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county.

An act to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendments thereto."

An act to prevent the sale of spirituous liquors at retail in the Peak's Mill voting precinct, in Franklin county.

An act to prevent the sale of spirituous liquors within one mile of East Hickman Baptist Church, in Fayette county.

An act for the benefit of Gilead Presbyterian Church, in Bath county.

An act to prohibit the sale of ardent spirits in Morgan county.

An act to incorporate the district of Hayfield, in Campbell county.

A message was also received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the several acts in relation to the town of Calhoun.

An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off the public roads.

An act to amend the charter of the city of Maysville.

An act to incorporate the Franklin Academic Institute.

An act to amend the charter of the city of Covington.

An act to amend the charter of the city of Paducah.

An act to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport election precinct.

An act to amend an act, entitled "An act to amend 'An act to incorporate the Red River Iron Manufacturing Company,'" approved 13th February, 1872.

An act to incorporate at the town of Walton, in the county of Boone, an Agricultural and Mechanical Association.

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

An act for the benefit of Sulphur Well school district, in Jessamine county.

An act to amend the charter of Augusta, in Bracken county.

An act to change the name of the Hopkinsville Coal, Iron Mining, and Manufacturing Company;

And that they had passed a bill, which originated in this House, of the following title, viz:

A bill to lay off the State into ten Congressional Districts,

With amendments thereto.

Mr. Blackburn, from the Committee on Railroads, who originated the same, reported

A bill to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

Which was read the first time and ordered to be read a second time.

Mr. Bush then moved that said bill have its second reading to-day.

And the question being taken thereon, it was decided in the negative, not having received four fifths of the members present.

The yeas and nays being required thereon by Messrs. Coke and Waide, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Julian N. Phelps, |
| Wm. A. Allen, | James B. Fitzpatrick, | Hiram S. Powell, |
| A. C. Armstrong, | C. D. Foote, | W. L. Reeves, |
| Alpheus W. Bascom, | James Garnett, | E. A. Robertson, |
| W. R. Bates, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. N. Beckham, | E. A. Graves, | William Sellers, |
| John A. Bell, | C. P. Gray, | James W. Snyder, |
| S. C. Bell, | Wm. A. Hoskins, | William Tarlton, |
| J. C. S. Blackburn, | George M. Jessee, | G. M. Thomas, |
| Wm. F. Bond, | T. J. Jones, | C. W. Threlkeld, |
| W. B. M. Brooks, | L. W. Lassing, | Harry I. Todd, |
| W. W. Bush, | J. S. Lawson, | Joseph T. Tucker, |

| | | |
|---|---|---|
| Robert M. Carlisle, | G. W. Little, | T. W. Varnon, |
| George Carter, | J. J. McAfee, | J. L. Waring, |
| James S. Chrisman, | J. A. McCampbell, | J. M. White, |
| Wm. G. Conrad, | Bryan S. McClure, | Mordecai Williams, |
| Thomas H. Corbett, | T. J. Megibben, | F. A. Wilson, |
| J. E. Cosson, | J. C. Moorman, | Jonas D. Wilson, |
| Joseph M. Davidson, | J. L. Nall, | J. N. Woods, |
| W. W. Deaderick, | Mat. Nunan, | J. M. Wright—60. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | Thos. M. Johnson, | J. R. Sanders, |
| G. W. Bailey, | Wm. J. McElroy, | Samuel M. Sanders, |
| Church H. Blakey, | M. E. McKenzie, | J. S. Taylor, |
| J. Guthrie Coke, | Lewis Potter, | E. F. Waide, |
| R. L. Cooper, | John Rowan, | C. H. Webb, |
| E. Polk Johnson, | J. P. Sacksteder, | S. H. Woolfolk—18. |

On motion of Mr. Bush,

*Ordered*, That said bill be read a second time to-morrow at 10½ o'clock, A. M.

Mr. Robertson, from the Committee on Religion, to whom was referred a bill from the Senate, entitled

An act to prohibit the sale of spirituous, vinous, or malt liquors within the Crittenden magisterial district, in Grant county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Carpenter, from the Committee on Insurance—

A bill to amend the charter of the Commonwealth Insurance Company, of Kentucky.

By Mr. Garnett, from the Committee on the Judiciary—

A bill for the benefit of Henry C. Lucas, of Russell county.

By Mr. Reeves, from the Committee on Railroads—

A bill to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad," approved January 22d, 1872.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The hour of 11 o'clock, A. M., having arrived, on motion of Mr. Waide, the House resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Waide being called to, the Chair; and, after a time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Waide, the Chairman, reported that the committee had had under consideration a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

And had made some progress therein; but not having time to complete the same on this day, had risen, and directed him to ask leave to sit again.

Pending consideration of said motion, the hour for taking a recess arrived, and further action thereon was suspended.

At 3 o'clock, P. M., the House assembled.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Owenton;

An act to incorporate the Eagle Creek, Dallasburg, and Bethel Turnpike Road Company;

An act to exempt footmen from bridge toll;

An act to incorporate the Southside Turnpike Road Company;

An act to incorporate the Carrsville Silver and Lead Mining Company;

An act to incorporate the Newport Gas-light and Fuel Company

An act to amend the charter of the Big Sandy Navigation and Manufacturing Company;

An act to amend the charter of the Paducah and Illinois Bridge Company;

An act to incorporate the Hopkinsville Gas and Mining Company;

An act to incorporate the Green River Lock and Dam Company;

An act for the benefit of William Day, of Breathitt county;

An act to incorporate the Catnip Hill Turnpike Road Company, in Jessamine county;

An act to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company;

An act to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company;

An act to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10, 1871;

An act allowing David Pryse, Z. T. Martin, and James M. Beatty to construct wharves at their respective landings at Beattyville;

An act to incorporate the Smithfield and Pendleton Turnpike or Gravel Road Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Jonas D. Wilson, from the Committee on Internal Improvement—

An act to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county.

By same—

An act to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream.

By Mr. Corbett, from the same committee—

An act to authorize T. D. Marcum and M. H. Johns to erect a boom across Wolf creek, in Martin county

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Corbett, a bill to provide for the improvement of the Tradewater river was postponed to, and made the special order of the day for, Friday, the 15th inst., at 10½ o'clock, A. M.

On motion, leave of absence, indefinitely, was granted to Messrs. Dyer, Nall, and Woolfolk.

Mr. Corbett, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill for the benefit of the citizens of Garrard county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the citizens of Garrard county shall be exempt from paying toll on turnpike roads that are now built, or may hereafter be made, in said county, when going to, or returning from, any grist or flouring mills: *Provided*, Said citizens shall only be exempt from paying toll when milling for family purposes exclusively.

§ 2. This act shall not apply to the Dix River Turnpike Road.

§ 3. This act to be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hoskins and Scales, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | George M. Jessee, | Samuel M. Sanders, |
| W. W. Ayers, | E. Polk Johnson, | Wm. Sellers, |
| G. W. Bailey, | T. M. Johnson, | James W. Snyder, |
| W. R. Bates, | T. J. Jones, | Wm. Tarlton, |
| John A. Bell, | J. S. Lawson, | J. S. Taylor, |
| Wm. F. Bond, | G. W. Little, | George M. Thomas, |
| Thomas P. Cardwell, | J. J. McAfee, | C. W. Threlkeld, |
| George Carter, | J. A. McCampbell, | T. W. Varnon, |
| Thomas H. Corbett, | M. E. McKenzie, | E. F. Waide, |
| J. E. Cosson, | Wm. Mynhier, | Mordecai Williams, |
| Joseph M. Davidson, | Mat. Nunan, | F. A. Wilson, |
| W. H. Evans, | Julian N. Phelps, | Jonas D. Wilson, |
| Joseph P. Foree, | Hiram S. Powell, | J. N. Woods—41. |
| Wm. Cassius Goodloe, | John P. Rowlett, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | R. L. Cooper, | T. J. Megibben, |
| S. C. Bell, | W. W. Deaderick, | J. C. Moorman, |
| J. C. S. Blackburn, | C. D. Foote, | Lewis Potter, |
| Church H. Blakey, | James Garnett, | W. L. Reeves, |
| W. B. M. Brooks, | E. A. Graves, | E. A. Robertson, |
| W. W. Bush, | C. P. Gray, | C. C. Scales, |

Robert M. Carlisle, Clinton Griffith, Harry I. Todd,
John S. Carpenter, Wm. A. Hoskins, L. W. Tralton,
James S. Chrisman, L. W. Lassing, Joseph T. Tucker,
J. Guthrie Coke, Bryan S. McClure, J. M. Wright—32.
Wm. G. Conrad, William J. McElroy,

*Resolved*, That the title of said bill be as aforesaid.

Mr. Corbett, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to incorporate the Metropolitan Turnpike, Tramway, and Bridge Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

*Ordered*, That the further consideration of the same be postponed to, and made the special order of the day for, Wednesday, the 13th inst., at 3½ o'clock, P. M.

Bills were reported by the committee who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Corbett, from the Committee on Internal Improvement—

A bill for the benefit of the Sulphur Well Branch of the Nicholasville and Kentucky River Turnpike Road Company.

By Mr. J. D. Wilson, from the same committee—

A bill to amend the charter of the Cloverport and Hardinsburg Turnpike Road Company, in Breckinridge county.

By same—

A bill to protect the navigation of Beech Fork of Salt river, in Nelson county.

By Mr. Corbett, from the same committee—

A bill to amend an act, entitled "An act to charter the Hustonville and McKinney's Station Turnpike Road Company."

By same—

A bill to amend the charter of the Hanging Fork and Green River Turnpike Road Company.

By same—

A bill to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association.

By same—

A bill to incorporate the New Castle and Gray Farm Turnpike Road Company.

By same—

A bill to incorporate the Harrodsburg and Chaplin River Turnpike Road Company.

By same—

A bill to incorporate the Steele's Turnpike Road Company.

By same—

A bill to amend the charter of the Stanford and Milledgeville Turnpike Road Company.

By same—

A bill to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company.

By same—

A bill to incorporate the Paducah and Hinkleville Gravel Road Company.

By same—

A bill to incorporate the Paducah and Mayfield Gravel Road Company.

By same—

A bill to amend the charter of the Fisherville and Buck Creek Turnpike Road Company.

By same—

A bill to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

By same—

A bill to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company.

By same—

A bill to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county.

By same—

A bill to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

By same—

A bill to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county.

By same—

A bill for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

By same—

A bill for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county.

By same—

A bill to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

By same—

A bill to amend the charter of the Mouth of Drennon and Turner's Station Turnpike Road Company.

By same—

A bill to charter the Lockport and Bethlehem Turnpike Road Company.

By same—

A bill to incorporate the Bardstown and Fairfield Turnpike Road Company.

By same—

A bill to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Corbett, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to repeal parts of section two (2) and section four (4) of an act, entitled "An act to incorporate the Licking River Lumber and Mining Company," approved January 25, 1868.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Pending discussion thereon the hour of 5 o'clock, P. M., arrived, and, under the rule heretofore adopted,

The House adjourned.

## SATURDAY, MARCH 9, 1872.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House of Representatives, to a bill which originated in the Senate, of the following title, viz:

An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming,

That they had disagreed to a bill, which originated in the House of Representatives, of the following title, viz:

An act for the benefit of James Turner, late sheriff of Perry county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the destruction of fish in the Kentucky river and its tributaries.

An act for the benefit of C. G. Beard, of Clinton county.

An act for the benefit of E. G. Davidson.

An act for the benefit of James M. Eifort.

An act for the benefit of James B. Wiley, of McCracken county.

An act for the benefit of John G. Johns, of Floyd county.

An act exempting the property now occupied by N. F. Smith, in Harrison county, for school purposes, from taxation.

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county.

An act for the benefit of Green V. Holland.

An act to organize and establish a system of public schools in the city of Hopkinsville for white children in said city.

An act to incorporate Proctor Male and Female Seminary, in Lee county.

An act for the benefit of school district No. 38, in Trigg county.

An act for the benefit of school district No. 19, of Hancock county.

An act for the benefit of B. L. Carr.

An act to establish an institution of learning in the town of Hartdinsville, in Shelby county, to be known as the Lee Academy.

An act for the benefit of Fleming county.

An act to repeal an act passed 10th March, 1854, granting the trustees of the Dover Seminary power to control the public school fund of school district No. 2, in Mason county.

An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro for white children in said city," approved March 13, 1871.

An act to amend an act for the protection of sheep in this Commonwealth, approved January 31, 1865.

An act to incorporate the Bear Creek Navigation, Mining, and Manufacturing Company.

An act to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts," approved 10th March, 1871.

An act appointing trustees for Williamstown Cemetery, in Grant county.

An act to amend the charter of the Kentucky Association for the Improvement of the Breed of Stock.

An act to amend the charter of the St. Bernard Coal Company.

An act for the benefit of James Vinson and others, in Hardin county.

An act to amend an act, entitled "An act to reduce into one the several acts regulating the Butler Seminary."

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company,

An act empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses.

An act to incorporate the Louisville Stock and Bond Board.

An act for the benefit of A. H. Calvin, of Fayette county.

An act to change the time of holding the Barren circuit court.

An act to amend the charter of the town of Hustonville, and amendments thereto.

With amendments to the last six named bills.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Kentucky Tobacco Commission and Mining Company.

2. An act to amend section 2, article 2, chapter 48, of the Revised Statutes.

3. An act for the benefit of Wm. Bellis, jailer of Estill county.

4. An act for the benefit of James Walters, committee of Polly Plewman, an idiot, of Estill county.

5. An act for the benefit of A. J. Raney, committee of Lurony King and Susan King, idiots, of Estill county.

6. An act to amend an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12, 1870.

7. An act for the benefit of Boone county.

8. An act for the benefit of school district No. 41, in Green county.

9. An act to amend an act to organize and establish a system of public schools in the city of Henderson.

10. An act for the benefit of common school district No. 50, in Mason county.

11. An act to provide for indexing deed-books in Caldwell county.

12. An act for the benefit of school district No. 2, in Menifee county.

13. An act for the benefit of John T. Ratcliff and Samuel P. Ratcliff, of Carter county.

14. An act for the benefit of Allen Jones, late sheriff of Pulaski county.

15. An act for the benefit of the land-owners and tax-payers of Carter county.

16. An act for the benefit of Wilson Morgan, sheriff of Clay county.

17. An act appropriating one thousand dollars for the purpose of removing of obstructions from Rockcastle river, between the mouth of said river and Sublimity Mills.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Corporate Institutions; the 2d to the Committee on Revised Statutes; the 3d, 4th, and 5th to the Committee on Claims; the 6th to the Committee on Insurance; the 7th and 11th to the Committee on County Courts; the 8th, 9th, 10th, and 12th to the Committee on Education; the 13th and 15th to the Committee on the Judiciary; the 14th and 16th to the Committee on Ways and Means; and the 17th to the Committee on Internal Improvement.

The House took up the amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

Said amendment was concurred in.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the New Castle and Eminence Turnpike Road;

An act for the benefit of the Murphysville Turnpike Road Company, in Mason county;

An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming;

An act for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Carter, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher;

An act to repeal an act, entitled "An act to create a board of commissioners of the sinking fund of Pendleton county, and the amendments thereto;"

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden;

An act to incorporate the Maysville, Flemingsburg, Coal, and Iron Region Railway Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

On motion, leave of absence was granted to Messrs. Beckham, Foree, and Brooks.

Mr. McElroy, from the Committee on Propositions and Grievances, made the following report, viz:

The Committee on Propositions and Grievances, to whom was referred the petition of many citizens of Floyd county, praying that a certain portion of territory therein described and set out be erected into a new county, submit the following report, viz:

That, according to statements made in said petition, many citizens within the boundary of the proposed new county appear to be laboring under territorial grievances, some of them living as much

as *forty miles* from Prestonsburg, the county seat of Floyd county. They further state, that there was before them no remonstrance against the establishment of the said proposed new county, and there accompanied said petition the affidavit of Joel Martin, jr., showing that the notice required by chapter 62, section 8, of the Revised Statutes, had been given according to law; but they further report, that there was no evidence before the committee that that part of rule No. 43 of the House of Representatives had been complied with, which reads as follows, viz:

"No memorial or petition shall be received praying for the division of a county, changing the place of holding any court or any local matter, unless the purport of such petition or memorial shall have been fixed at the door of the court-house, or other place of holding courts of the county, where such alteration is proposed at *two courts*, and shall have remained there one day, during the sitting of each court, *one month* at least previous to offering the same."

They therefore ask to be discharged from the further consideration of said petition.

S. H. WOOLFOLK,
JAS. B. FITZPATRICK,
M. WILLIAMS,
W. J. McELROY,
M. E. McKENZIE,
M. NUNAN.

MARCH, 1872.

And thereupon the committee were discharged from the further consideration of said petition.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act prohibiting the sale of intoxicating drink in Rockcastle county.

An act to amend an act in relation to the sale of spirituous liquors in Letcher county, approved March 21, 1870.

An act to prohibit the sale of ardent spirits in the first and fifth magisterial districts in Todd county.

An act relating to the sale of ardent spirits in Carter county.

An act to prohibit the sale of intoxicating liquors in and near the town of Spottsville, in Henderson county.

Mr. Graves offered the following resolution, viz:

WHEREAS, The great principle of common justice, of equality, and the Constitution of this State, alike contemplate and require that every species of property should bear its equal, just *pro rata* share of taxation, whether for State, county, or municipal purposes—(of course all property within exemption laws excepted); and whereas, it is represented to this House that individuals who are the owners of bonds of various descriptions (United States bonds excepted), and bank, railroad, and insurance stocks, as well as of all other kinds of stocks, when called on by the assessors of this Commonwealth for their tax lists, deny that the foregoing bonds and stocks are liable for county and municipal taxation, and in many instances even for State taxation; and whereas, it is desirable that there should be no privileged classes, founded upon wealth and established by law, in this Commonwealth; therefore, be it

*Resolved*, That the Judiciary Committee be instructed to inquire what legislation is necessary, if any, to bring about an equality of taxation among all classes of the community, so that each person shall pay his *pro rata* share of taxation for the purposes aforesaid.

Which was adopted.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House of Representatives, to a bill which originated in the Senate, of the following title, viz:

An act to amend the charter of the town of Lancaster,

With a substitute by way of amendment to the amendment proposed by the House.

Said substitute amendment was taken up and concurred in by this House.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cosson—

1. A bill authorizing the sale of the old seminary lot in Somerset.

On motion of Mr. Foree—

2. A bill for the benefit of the Beatty's Mill and Todd's Point Turnpike Road Company.

On motion of Mr. Foote—

3. A bill to provide for the appointment of deputy constables in the city of Covington.

On motion of Mr. Little—

4. A bill for the benefit of Wm. Cummins and his sureties.

On motion of Mr. Bailey—

5. A bill to charter a railroad running from Hartford to Shawneetown.

On motion of Mr. Bates—

6. A bill for the benefit of James Steffey.

On motion of Mr. Williams—

7. A bill for the benefit of the clerks of the county and circuit courts of Boyd county.

On motion of Mr. F. A. Wilson—

8. A bill to amend the charter of Eddyville.

On motion of Mr. Todd—

9. A bill for the benefit of H. H. Crutcher.

On motion of same—

10. A bill to incorporate the Frankfort Building and Loan Association.

On motion of same—

11. A bill to incorporate the Ohio Valley Contracting and Building Company.

On motion of Mr. Conrad—

12. A bill to amend the charter of Crittenden.

On motion of Mr. Sellers—

13. A bill to legalize certain actions of the Garrard county court.

On motion of Mr. Megibben—

14. A bill for the benefit of certain citizens in Harrison county.

On motion of Mr. Arnold—

15. A bill for the benefit of the widows of this Commonwealth.

On motion of Mr. Clay—

16. A bill to change the time of paying railroad taxes in Bourbon county.

On motion of Mr. S. M. Sanders—

17. A bill to apply the State revenue in Larue county, for the year 1872, to repairing the Bardstown and Green River Turnpike Road Company, &c.

On motion of Mr. Fitzpatrick—

18. A bill to amend and define section 3, chapter 102, of the Revised Statutes.

On motion of Mr. Sacksteder—

19. A bill to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

On motion of Mr. Waide—

20. A bill to regulate advertisements under the laws of this Commonwealth.

On motion of Mr. Coke—

21. A bill to incorporate the Louisville Collegiate Institution.

On motion of Mr. S. C. Bell—

22. A bill for the benefit of Metcalfe and Barren counties.

On motion of Mr. Deaderick—

23. A bill to amend the charter of Falmouth.

On motion of same—

24. A bill for the benefit of Pendleton county.

On motion of Mr. Cosson—

25. A bill for the benefit of W. S. Shephard.

On motion of Mr. Nunan—

26. A bill for the benefit of the police judge of Springfield.

On motion of Mr Little—

27. A bill for the benefit of the orphans of this State.

On motion of Mr. E. Polk Johnson—

28. A bill for the benefit of the turnpike roads in this State.

*Ordered*, That the Committee on County Courts prepare and bring in the 1st, 3d, 7th, 8th, 13th, and 24th; the Committee on the Revised Statutes the 2d, 10th, 11th, 12th, 14th, 15th, 18th, 19th, 21st, 22d, and 27th; the Committee on Propositions and Grievances the 4th and 9th; the Committee on Railroads the 5th and 16th; the Committee on Education the 6th; the Committee on Internal Improvement the 17th; the Committee on Corporate Institutions the 23d; the Committee on Claims the 25th; the Committee on Codes of Practice the 26th; a select committee, consisting of Messrs. Beckham, Jessee, and Waide, the 20th; and a select committee, consisting of Messrs. Coke, Griffith, and Varnon, the 28th.

Bills were reported by the committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Robertson, from the Committee on Religion—

A bill prohibiting the sale of ardent, malt, vinous, or spirituous liquors in Webster county.

By Mr. Corbett, from a select committee—

A bill to amend an act, approved December 20, 1871, re-establishing the common pleas court in Hickman county, and to repeal an amendment thereto, approved February 6, 1872.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill for the benefit of B. F. Mulliken, of Robertson county.

By Mr. Carpenter, from the Committee on Insurance—

A bill to amend an act, entitled "An act to incorporate the German Insurance Company."

By Mr. Todd, from the Committee on Banks—

A bill to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville.

By Mr. Wright, from the Committee on the Revised Statutes—

A bill to incorporate the town of Glenville, in Adair county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The following petitions and remonstrance were presented, viz:

By Mr. Robertson—

1. The petition of the officers of Fleming county, praying for compensation to said county for keeping pauper lunatics.

By Mr. Cooper—

2. The petition of certain citizens of Mason county, praying that Miss L. Browning be released from the payment of certain damages.

By Mr. Conrad—

3. The petition of sundry citizens of Crittenden, Grant county, praying the repeal of an act to amend the charter of Crittenden, passed 13th March, 1869.

By Mr. F. A. Wilson—

4. The remonstrance of citizens of Parkersville, against the repeal of a certain prohibitory liquor law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Charitable Institutions; the 2d and 3d to the Committee on the Revised Statutes; and the 4th to the Committee on Propositions and Grievances.

The hour of 11 o'clock, A. M., having arrived, on motion of Mr. Waide, the House resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Waide being called to, the Chair; and, after a time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Waide, the Chairman, reported that the committee had had under consideration a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

And had made still further progress therein; but not having time to complete the same on this day, had risen, and directed him to ask leave to sit again; which was granted.

Acording to order of yesterday, a bill, entitled

A bill to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872,

Was read the second time.

Mr. Garnett then offered an amendment to said bill.

Further consideration of said bill was cut off by the arrival of the hour for taking up the orders of the day.

The House then took up from the orders of the day the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to change the time of holding the Barren circuit court.

An act for the benefit of A. H. Calvin, of Fayette county.

An act to amend the charter of the town of Hustonville, and amendments thereto.

Said amendments were concurred in.

Mr. Blackburn moved to suspend the orders of the day and take up for further consideration, at this time, a bill, entitled

A bill to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. E. Polk Johnson and Coke, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Julian N. Phelps, |
| Wm. A. Allen, | Joseph M. Davidson, | Hiram S. Powell, |
| A. C. Armstrong, | W. W. Deaderick, | E. A. Robertson, |
| A. S. Arnold, | W. H. Evans, | Wm. Sellers, |
| Alpheus W. Bascom, | C. D. Foote, | Wm. Tarlton, |
| John A. Bell, | Wm. Cassius Goodloe, | George M. Thomas |
| J. C. S. Blackburn, | E. A. Graves, | C. W. Threlkeld, |
| Church H. Blakey, | C. P. Gray, | Harry I. Todd, |

| | | |
|---|---|---|
| Wm. F. Bond, | Wm. A. Hoskins, | L. W. Trafton, |
| W. W. Bush, | T. J. Jones, | T. W. Varnon, |
| Thomas P. Cardwell, | L. W. Lassing, | E. F. Waide, |
| Robert M. Carlisle, | J. S. Lawson, | J. M. White, |
| John S. Carpenter, | G. W. Little, | Mordecai Williams, |
| George Carter, | J. J. McAfee, | F. A. Wilson, |
| James S. Chrisman, | T. J. Megibben, | Jonas D. Wilson, |
| C. M. Clay, jr., | J. C. Moorman, | J. N. Woods, |
| Wm. G. Conrad, | Wm. Mynhier, | J. M. Wright—53. |
| Thomas H. Corbett, | Mat. Nunan, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | E. Polk Johnson, | Samuel M. Sanders, |
| W. R. Bates, | T. M. Johnson, | James W. Snyder, |
| S. C. Bell, | Bryan S. McClure, | J. S. Taylor, |
| J. Guthrie Coke, | William J. McElroy, | Joseph T. Tucker, |
| James B. Fitzpatrick, | Lewis Potter, | C. H. Webb—17. |
| James Garnett, | John P. Rowlett, | |

And so said bill was taken up.

Mr. Powell then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

So the main question was ordered.

The question was then taken on the adoption of the amendment proposed by Mr. Garnett, and it was decided in the negative.

Said amendment reads as follows, viz:

Strike from the 1st section of the bill the words "and so much of the proviso to the preamble to said act as requires the said trustees to make special surveys therein named, and to report the lines surveyed to the citizens of Cincinnati."

The yeas and nays being required thereon by Messrs. Garnett and S. C. Bell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| G. W. Bailey, | James Garnett, | John P. Rowlett, |
| W. R. Bates, | E A. Graves, | J. P. Sacksteder, |
| S. C. Bell, | C. P. Gray, | J. R. Sanders, |
| Church H. Blakey, | George M. Jessee, | Samuel M. Sanders, |
| John S. Carpenter, | E. Polk Johnson, | J. S. Taylor, |
| James S. Chrisman, | T. M. Johnson, | Joseph T. Tucker, |
| J. Guthrie Coke, | Bryan S. McClure, | E. F. Waide, |
| R. L. Cooper, | Wm. J. McElroy, | J. M. White, |
| James B. Fitzpatrick, | Lewis Potter, | J. M. Wright—28. |
| Joseph P. Foree, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Julian N. Phelps, |
| Wm. A. Allen, | Joseph M. Davidson, | Hiram S. Powell, |

| | | |
|---|---|---|
| A. C. Armstrong, | W. W. Deaderick, | E. A. Robertson, |
| W. W. Ayers, | W. H. Evans, | Wm. Sellers, |
| Alpheus W. Bascom, | C. D. Foote, | James W. Snyder, |
| J. A. Bell, | Wm. Cassius Goodloe, | Wm. Tarlton, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | George M. Thomas, |
| Wm. F. Bond, | T. J. Jones, | C. W. Threlkeld, |
| W. W. Bush, | L. W. Lassing, | Harry I. Todd, |
| Thomas P. Cardwell, | J. S. Lawson, | T. W. Varnon, |
| Robert M. Carlisle, | G. W. Little, | C. H. Webb, |
| George Carter, | J. J. McAfee, | F. A. Wilson, |
| C. M. Clay, jr., | T. J. Megibben, | Jonas D. Wilson, |
| Wm. G. Conrad, | J. C. Moorman, | J. N. Woods—44. |
| Thomas H. Corbett, | Mat. Nunan, | |

And so said amendment was rejected.

*Ordered*, That said bill be engrossed and read a third time.

Mr. Blackburn then moved that said bill have its third reading to-day.

And the question being taken thereon, it was decided in the negative, four fifths of the members present not voting therefor.

The yeas and nays being required thereon by Messrs. Coke and Waide, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Mat. Nunan, |
| Wm. A. Allen, | W. H. Evans, | Julian N. Phelps, |
| A. C. Armstrong, | C. D. Foote, | Lewis Potter, |
| Alpheus W. Bascom, | James Garnett, | Hiram S. Powell, |
| John A. Bell, | Wm. Cassius Goodloe, | W. L. Reeves, |
| S. C. Bell, | E. A. Graves, | E. A. Robertson, |
| J. C. S. Blackburn, | C. P. Gray, | Wm. Sellers, |
| Church H. Blakey, | Wm. A. Hoskins, | James W. Snyder, |
| Wm. F. Bond, | George M. Jessee, | Wm. Tarlton, |
| W. W. Bush, | T. J. Jones, | George M. Thomas, |
| Thomas P. Cardwell, | L. W. Lassing, | C. W. Threlkeld, |
| Robert M. Carlisle, | J. S. Lawson, | Harry I. Todd, |
| George Carter, | G. W. Little, | T. W. Varnon, |
| James S. Chrisman, | J. J. McAfee, | J. M. White, |
| C. M. Clay, jr., | Bryan S. McClure, | Mordecai Williams, |
| William G. Conrad, | T. J. Megibben, | F. A. Wilson, |
| Thomas H. Corbett, | J. C. Moorman, | Jonas D. Wilson, |
| J. E. Cosson, | J. L. Nall, | J. N. Woods—55. |
| Joseph M. Davidson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | Thos. M. Johnson, | Samuel M. Sanders, |
| G. W. Bailey, | Wm. J. McElroy, | J. S. Taylor, |
| John S. Carpenter, | M. E. McKenzie, | Joseph T. Tucker, |
| J. Guthrie Coke, | John P. Rowlett, | E. F. Waide, |

R. L. Cooper, J. P. Sacksteder, J. M. Wright—17.
E. Polk Johnson, J. R. Sanders,

On motion of Mr. Blackburn,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, Monday, the 11th inst., at fifteen minutes before ten o'clock, A. M.

The House then took up the amendments proposed by the Senate, to bills which originated in this House, of the following titles, viz :

1. An act to reduce the salary of the gate-keeper on the Wilderness Turnpike Road, in Knox and Josh Bell counties.

2. An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county.

Said amendments were concurred in, and the title of the second named bill changed so as to read,

An act to amend the charter of the town of Blandville, in Ballard county;

And the 1st so as to read,

An act reducing the salary of the toll-gate keeper on the Wilderness Turnpike Road.

Mr. McKenzie, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill declaring the county seat of Lee county permanently located at the town of Proctor,

With the expression of the opinion of a majority of said committee that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Waide, the further consideration of said bill was dispensed with.

And then the House adjourned.

## MONDAY, MARCH 11, 1872.

A message was also received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of Hartford," approved March 2, 1867.

An act to release persons heretofore required to work out their road tax on the Murphysville Road, in Mason county, therefrom.

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown."

An act to amend an act, entitled "An act to incorporate the town of Brownsville, in Edmonson county," approved February 15th, 1860.

An act to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

An act for the benefit of the Middleburg and Liberty Turnpike Road Company.

An act to incorporate the Pewee Valley Cemetery Company.

An act to incorporate the Owenton and Twin Creek Turnpike Road Company.

An act to incorporate the Benevolent Society in the city of Paducah.

An act to amend an act, entitled "An act to amend the charter of the American Printing House for the Blind," approved April 3, 1861.

An act to incorporate the Woodland Market-house Company, of Louisville.

An act to re-enact and amend an act, entitled "An act to incorporate the town of Carrsville, in Livingston county."

An act to incorporate Barlow City, in Ballard county.

An act to amend the charter of the city of Henderson.

An act for the benefit of the Tuckyhoe Ridge Turnpike Road Company, in Mason county.

An act to amend an act, entitled "An act further to amend the acts in relation to Elizabethtown, and to extend its bounds," approved March 11, 1867.

An act to amend an act, entitled "An act to amend the charter of the town of Elizabethtown."

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton."

An act amending the charter of the Louisville and Shepherdsville Turnpike Road Company.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate the mode of executing process issued by the clerk of the Campbell circuit court, and docketing cases in said court.

An act to permit Nelson Bridges to peddle without license.

An act to incorporate the Adair Hotel Company.

An act to incorporate the St. Louis Cemetery, near Louisville.

An act to incorporate the St. Augustin Cemetery, near Lebanon, Marion county.

An act to incorporate the Valley City Town Company.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 2, article 5, chapter 32, of the Revised Statutes.

An act to repeal chapter 853 of the acts approved at the session of 1869–'70.

An act to amend an act, entitled "An act for the benefit of the sureties of W. B. Simmons, late sheriff of Meade county."

An act to change the name of Greenupsburg to Greenup.

An act for the benefit of David Wortham, of Graves county.

An act to repeal an act to amend the charter of the city of Paris, approved March 18, 1870.

An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8, 1871.

An act to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17, 1871.

An act to amend the charter of the Citizens' Passenger Railroad, of Louisville.

An act to establish the Southern Park Association.

An act to amend an act, entitled "An act incorporating the town of Nebo, in Hopkins county."

An act to amend the charter of the town of Bardstown, in Nelson county.

An act to extend the boundary of the city of Owensboro.

An act to establish the Highland Park Corporation.

An act to change the corporate limits of the town of Springfield, in Washington county.

An act to amend an act, entitled "An act to incorporate the town of Morses, in Graves county," approved March 21, 1871.

An act to incorporate the Newbergh Railway and Real Estate Company.

An act to amend the charter of the town of Upton.

An act to enlarge the boundaries of the town of Morganfield, in Union county.

An act to amend the charter of Owensboro.

An act to extend and enlarge the corporate limits of the town of Albany, in Clinton county.

An act to incorporate the town of Wingo, in Graves county.

An act to amend the charter of Dixon, in Webster county.

An act to amend the charter of the town of Ashland.

An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county.

An act to amend the charter of Bryantsville, and further amend an act approved February 14, 1871.

An act to amend the charter of the town of Cloverport.

An act to incorporate the town of Marshall, in Bath county.

An act to amend the charter of the town of Slaughtersville, Webster county.

An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad," approved January 22d, 1872.

An act to incorporate the Bourbon Female College.

An act to incorporate the Scuffletown Fence Company.

An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

An act to regulate official sales in Woodford county.

An act to incorporate the town of Paintsville.

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15, 1868.

An act to incorporate the Louisville Iron and Steel Rail Company.

An act to amend the charter of the town of Curdsville, in Daviess county.

With amendments to the last nine named bills.

And that they had passed bills of the following titles, viz:

1. An act to amend the turnpike laws of Henry county.

2. An act to amend an act, entitled "An act to incorporate the Licking River Lumber and Mining Company," approved January 25, 1868.

3. An act concerning the advertisement of sheriffs' and commissioners' sales of real estate in the counties of Montgomery and Clark.

4. An act to amend the charter of the city of Maysville.

5. An act to incorporate the town of Brandenburg, in Meade county.

6. An act for the benefit of the county court of Meade county.

7. An act to provide for the repairing of the Louisville and Nashville Turnpike Road, and to amend the charter thereof.

8. An act to amend an act, entitled "An act to transcribe the surveyors' books and records of Cumberland county.

9. An act to incorporate the Elkton and Guthrie City Railroad Company.

10. An act for the benefit of the Kentucky Central Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

11. An act to re-enact an act to incorporate the Paducah and Tennessee Railroad Company, approved March 8, 1851.

12. An act to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 7th to the Committee on Internal Improvement; the 4th and 5th to the Committee on Corporate Institutions; the 2d and 3d to the Committee on the Judiciary; the 6th and 8th to the Committee on County Courts; the 9th, 10th, 11th, and 12th to the Committee on Railroads.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden.

Resolution asking for information in regard to certain insurance companies.

On motion, leave of absence, indefinitely, was granted to Mr. Carlisle.

Mr. Jones, from a select committee, who were directed to prepare and bring in the same, reported

A bill to amend the 24th and 29th sections of the Civil Code of Practice, and of justices' courts in this Commonwealth.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

*Ordered*, That said bill be printed, and that its consideration be postponed to, and made the special order of the day for, Friday, the 15th inst., at 11 o'clock, A. M.

According to order, the House took up and resumed the further consideration of

A bill to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

Said bill was then read a third time.

On motion of Mr. J. R. Sanders, the roll was called, and the following members of the House responded to the call of their names, viz:

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James Garnett, | Lewis Potter, |
| Wm. A. Allen, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| A. C. Armstrong, | E. A. Graves, | W. L. Reeves, |
| W. W. Ayers, | C. P. Gray, | E. A. Robertson, |
| G. W. Bailey, | Clinton Griffith, | John Rowan, |
| Alpheus W. Bascom, | Wm. A. Hoskins, | J. R. Sanders, |
| W. R. Bates, | Thos. M. Johnson, | Samuel M. Sanders, |
| John A. Bell, | T. J. Jones, | William Sellers, |

| | | |
|---|---|---|
| S. C. Bell, | L. W. Lassing, | James W. Snyder, |
| J. C. S. Blackburn, | J. S. Lawson, | J. S. Taylor, |
| Church H. Blakey, | G. W. Little, | G. M. Thomas, |
| Thomas P. Cardwell, | J. J. McAfee, | C. W. Threlkeld, |
| George Carter, | Bryan S. McClure, | Harry I. Todd, |
| C. M. Clay, jr., | Wm. J. McElroy, | Joseph T. Tucker, |
| R. L. Cooper, | M. E. McKenzie, | T. W. Varnon, |
| J. E. Cosson, | J. C. Moorman, | J. M. White, |
| Joseph M. Davidson, | Wm. Mynhier, | F. A. Wilson, |
| W. H. Evans, | Mat. Nunan, | Jonas D. Wilson, |
| C. D. Foote, | Julian N. Phelps, | J. N. Woods—57. |

Mr. Blackburn then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blakey and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Wm. Cassius Goodloe, | John Rowan, |
| A. C. Armstrong, | E. A. Graves, | J. R. Sanders, |
| Alpheus W. Bascom, | C. P. Gray, | William Sellers, |
| John A. Bell, | Wm. A. Hoskins, | James W. Snyder, |
| J. C. S. Blackburn, | L. W. Lassing, | George M. Thomas, |
| Thomas P. Cardwell, | J. S. Lawson, | C. W. Threlkeld, |
| George Carter, | G. W. Little, | Harry I. Todd, |
| James S. Chrisman, | J. J. McAfee, | T. W. Varnon, |
| C. M. Clay, jr., | J. C. Moorman, | J. M. White, |
| R. L. Cooper, | Mat. Nunan, | Mordecai Williams, |
| J. E. Cosson, | Julian N. Phelps, | F. A. Wilson, |
| Joseph M. Davidson, | Hiram S. Powell, | Jonas D. Wilson, |
| W. H. Evans, | E. A. Robertson, | J. N. Woods—40. |
| C. D. Foote, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | T. M. Johnson, | Wm. Mynhier, |
| W. W. Ayers, | T. J. Jones, | Lewis Potter, |
| W. R. Bates, | Bryan S. McClure, | W. L. Reeves, |
| S. C. Bell, | William J. McElroy, | Samuel M. Sanders, |
| Church H. Blakey, | M. E. McKenzie, | J. S. Taylor—16. |
| James Garnett, | | |

So the main question was ordered.

The main question was then put, viz: "Shall the bill pass?" and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Clay moved to reconsider the vote by which said bill was passed.

Mr. Chrisman moved to lay the motion of Mr. Clay on the table.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

On motion of Mr. Griffith, the consideration of the amendments proposed by the Senate to a bill which originated in this House, entitled

A bill to lay off the State into ten Congressional Districts,

Was postponed to, and made the special order of the day for, to-morrow, at 10 o'clock, A. M.

On motion of Mr. Foote,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage of bills, which originated in this House, of the following titles, viz:

An act to regulate and establish the rate of tolls on the Covington and Cincinnati bridge;

An act to regulate the running of ferries and ferry rates in the city of Covington;

The message having been delivered to the Senate, the bills were returned and laid on the Clerk's table.

On motion of Mr. Foote, the rule requiring motions to reconsider to be made within three days was suspended,

And thereupon, on motion of Mr. Foote, the votes by which said bills were passed, and the votes by which said bills were ordered to be read a third time, were reconsidered.

*Ordered*, That said bills be recommitted to the Committee on the Judiciary.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

A bill prohibiting the sale of ardent, malt, vinous, or spirituous liquors in Webster county,

With an amendment thereto.

Said amendment was taken up and concurred in.

The hour of eleven o'clock, A. M., having arrived, according to order, the House resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Varnon being called to, the Chair; and, after a time spent therein, the committee rose, and Mr. Varnon, the Chairman, reported that the committee had had under further consideration a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

And having made same progress therein, but not having time to complete the same on this day, had risen, and directed him to ask leave to sit again on to-morrow at 11 o'clock, A. M.; which was granted.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. A. Bell, from the Committee on Printing—

A bill to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky.

By Mr. Tucker, from the Committee on Circuit Courts—

A bill to regulate the time of holding circuit courts in the fifteenth judicial district.

By Mr. Reeves, from the Committee on Railroads—

A bill to amend the charter of the Glasgow Railroad Company.

By Mr. Blackburn, from the same committee—

A bill to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill to amend the charter, and the amendments thereto, of the town of Stanford.

By same—

A bill in relation to the streets and alleys of Jamestown, Russell county.

By Mr. Trafton, from the Committee on County Courts—

A bill for the benefit of Samuel Sublett, of Woodford county.

By same—

A bill for the benefit of the sureties of John W. Combs, late sheriff of Woodford county.

By same—

A bill to provide for the appointment of deputy constables in the city of Covington.

By same—

A bill changing the time of holding the quarterly courts in the county of Knox.

By Mr. Corbett, from the Committee on Internal Improvement—

A bill to amend the charter of the Smithfield and Shelbyville Turnpike Road Company.

By same—

A bill for the benefit of John D. Boyes, of Magoffin county.

By same—

A bill to incorporate the Big Sandy Highway Bridge Company.

By same—

A bill to amend the charter of the Carrollton and Eagle Creek Turnpike Road Company.

By same—

A bill to amend the Eminence and Sulphur Station Turnpike Road Company.

By same—

A bill to amend the New Castle and Bethlehem Turnpike Road Company.

By same—

A bill to incorporate the Pendleton Station and Wolf Run Turnpike Road Company.

By same—

A bill to provide for the construction and completion of turnpike roads in Harrison county.

By same—

A bill to incorporate the Owensboro and Indiana Bridge Company.

By Mr. Bascom, from the Committee on Banks—

A bill to amend an act, entitled, "An act to incorporate the Union County Bank."

By same—

A bill to charter the Deposit Bank of Mt. Sterling.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Graves, from the Committee on Ways and Means—

An act for the benefit of J. C. Linn, late sheriff of Calloway county.

By same—

An act for the benefit of Allen Jones, late sheriff of Pulaski county.

By Mr. Trafton, from the Committee on County Courts—

An act to change the time of holding the Ohio quarterly court.

By Mr. Corbett, from the Committee on Internal Improvement—

An act to incorporate the Stamping Ground and Long Lick Turnpike Road Company, in Scott county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, with amendments thereto, by the committees to whom they had been referred, viz:

By Mr. Garnett, from the Committee on the Revised Statutes—

An act to amend the 28th section of chapter 103, of the Revised Statutes, title "Turnpike and Plank Roads."

By Mr. Bascom, from the Committee on Banks—

An act to incorporate the Uniontown Deposit Bank.

By same—

An act for the benefit of Pearce, Wallingford & Co.

By same—

An act to incorporate the Bank of Uniontown.

By Mr. Rowlett, from the same committee—

An act to incorporate the Deposit Bank of Carrollton.

By Mr. Waide, from the same committee—

An act to incorporate the Bank of Commerce.

By same—

An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10, 1869.

By Mr. Webb, from the same committee—

An act to incorporate Greensburg Deposit Bank.

By same—

An act to incorporate the Bank of Owen.

By Mr. Waide, from the same committee—

An act to amend an act to incorporate the Louisville Insurance and Banking Company, approved 24th January, 1867.

Which amendments were severally adopted.

*Ordered*, That said bills, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House took up the amendment proposed by the Senate to a bill which originated in this House, entitled

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties.

Said proposed amendment was disagreed to.

The House took up the amendments proposed by the Senate, to bills which originated in this House, of the following titles, viz:

An act to establish a system of common schools in the town of Corydon, in Henderson county.

An act to incorporate the Bourbon Female College.

Said amendments were concurred in.

The House took up from the orders of the day, and proceeded to consider still further,

A bill to protect fish in Kentucky river and its tributaries.

The several amendments offered by Messrs. Blackburn, Todd, and Bond were withdrawn.

Mr. Blackburn then moved to amend said bill by striking therefrom the 7th and 8th sections, which amendment was adopted.

Mr. Clay offered an amendment, which was adopted.

Mr. Blakey moved to reconsider the vote by which the amendment offered by him was adopted.

And the question being taken thereon, it was decided in the affirmative.

Thereupon Mr. Blakey withdrew his said amendment.

Amendments were offered by Messrs. Clay, Blakey, and McAfee, which were adopted.

Mr. Griffith offered an amendment, which was rejected.

Mr. McKenzie then offered the following amendment, viz:

Add thereto: "The provisions of this bill shall apply to all the streams in this Commonwealth."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sellers and McKenzie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | C. W. Threlkeld, |
| Church H. Blakey, | E. A. Graves, | Joseph T. Tucker, |
| Thomas P. Cardwell, | J. J. McAfee, | T. W. Varnon, |
| C. M. Clay, jr., | M. E. McKenzie, | E. F. Waide, |
| R. L. Cooper, | T. J. Megibben, | F. A. Wilson, |
| J. E. Cosson, | E. A. Robertson, | J. M. Wright—19. |
| C. D. Foote, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. P. Gray, | Lewis Potter, |
| Wm. A. Allen, | Clinton Griffith, | John Rowan, |
| A. C. Armstrong, | George M. Jessee, | Samuel M. Sanders, |
| W. W. Ayers, | E. Polk Johnson, | William Sellers, |
| G. W. Bailey, | T. M. Johnson, | James W. Snyder, |
| Alpheus W. Bascom, | T. J. Jones, | J. S. Taylor, |
| John A. Bell, | L. W. Lassing, | George M. Thomas, |
| S. C. Bell, | J. S. Lawson, | Harry I. Todd, |
| George Carter, | Bryan S. McClure, | L. W. Trafton, |
| B. E. Cassilly, | William J. McElroy, | C. H. Webb, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| J. Guthrie Coke, | Wm. Mynhier, | Mordecai Williams, |
| Thomas H. Corbett, | Mat. Nunan, | Jonas D. Wilson, |
| James B. Fitzpatrick, | Julian N. Phelps, | J. N. Woods—43. |
| James Garnett, | | |

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, but no quorum voting thereon, said bill was placed in the orders of the day.

Mr. Blackburn then moved to take up said bill from the orders of the day, and proceed with its consideration.

Mr. Tucker moved to lay the motion of Mr. Blackburn on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | E. Polk Johnson, | C. W. Threlkeld, |
| W. R. Bates, | J. J. McAfee, | Joseph T. Tucker, |
| J. Guthrie Coke, | Lewis Potter, | C. H. Webb, |
| R. L. Cooper, | J. R. Sanders, | J. M. Wright—14. |
| C. D. Foote, | Wm. Sellers, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Wm. Cassius Goodloe, | Mat. Nunan, |
| W. W. Ayers, | E. A. Graves, | Julian N. Phelps, |
| G. W. Bailey, | C. P. Gray, | Hiram S. Powell, |
| Alpheus W. Bascom, | Wm. A. Hoskins, | E. A. Robertson, |
| John A. Bell, | George M. Jessee, | John Rowan, |
| S. C. Bell, | T. M. Johnson, | Samuel M. Sanders, |
| J. C. S. Blackburn, | T. J. Jones, | James W. Snyder, |
| Thomas P. Cardwell, | J. S. Lawson, | J. S. Taylor, |
| George Carter, | G. W. Little, | George M. Thomas |
| James S. Chrisman, | Bryan S. McClure, | Harry I. Todd, |
| C. M. Clay, jr., | William J. McElroy, | E. F. Waide, |
| Thomas H. Corbett, | M. E. McKenzie, | J. M. White, |
| J. E. Cosson, | T. J. Megibben, | Mordecai Williams, |
| Joseph M. Davidson, | J. C. Moorman, | F. A. Wilson, |
| James B. Fitzpatrick, | Wm. Mynhier, | J. N. Woods—46. |
| James Garnett, | | |

The question was then taken on the motion of Mr. Blackburn to take up said bill, and it was decided in the negative.

Mr. Bascom, from the Committee on Banks, who were directed to prepare and bring in the same, reported

A bill to subject bank stock to taxation for county and municipal purposes.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

Mr. Goodloe moved that said bill be printed, and that the further consideration thereof be postponed until the 15th inst., at 10½ o'clock.

And the question being taken on the motion of Mr. Goodloe, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Bell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | George Carter, | Hiram S. Powell, |
| Wm. A. Allen, | B. E. Cassilly, | W. L. Reeves, |
| A. C. Armstrong, | J. Guthrie Coke, | William Sellers, |
| G. W. Bailey, | Wm. Cassius Goodloe, | G. M. Thomas, |
| John A. Bell, | T. J. Jones, | L. W. Trafton, |
| J. C. S. Blackburn, | G. W. Little, | E. F. Waide, |
| Church H. Blakey, | T. J. Megibben, | Jonas D. Wilson, |
| Wm. F. Bond, | Julian N. Phelps, | J. N. Woods—26. |
| John S. Carpenter, | Lewis Potter, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | Wm. A. Hoskins, | John Rowan, |
| Alpheus W. Bascom, | George M. Jessee, | John P. Rowlett, |

| | | |
|---|---|---|
| W. R. Bates, | Thos. M. Johnson, | J. R. Sanders, |
| S. C. Bell, | L. W. Lassing, | James W. Snyder, |
| James S. Chrisman, | J. S. Lawson, | J. S. Taylor, |
| J. E. Cosson, | Bryan S. McClure, | C. W. Threlkeld, |
| Joseph M. Davidson, | Wm. J. McElroy, | Harry I. Todd, |
| James B. Fitzpatrick, | J. C. Moorman, | Joseph T. Tucker, |
| James Garnett, | Wm. Mynhier, | C. H. Webb, |
| E. A. Graves, | Mat. Nunan, | J. M. White, |
| C. P. Gray, | E. A. Robertson, | F. A. Wilson—33. |

*Ordered*, That said bill be engrossed and read a third time.

On motion of Mr. Graves,

*Ordered*, That said bill be read a third time to-morrow at 3 o'clock, P. M.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Waide, from the Committee on Banks—

An act to incorporate the Market Bank, of Louisville.

By same—

An act to incorporate the German Insurance Bank.

By Mr. Foote, from the same committee—

An act to amend an act, entitled "An act to establish the People's Bank," approved February 15, 1856.

By same—

An act entitled "An act to amend the charter of the Central Savings Bank of Louisville," approved March 15, 1859.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the committee who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Bascom, from the Committee on Banks—

A bill amending an act incorporating the Paducah Savings Bank.

By same—

A bill for the benefit of the Commercial Bank of Kentucky.

By same—

A bill to incorporate the First German Savings Bank, of Louisville.

By Mr. Waide, from the same committee—

A bill to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13, 1867.

By Mr. Rowlett, from the same committee—

A bill to incorporate the Paducah Universal Deposit and Trading Bank.

By Mr. Webb, from the same committee—

A bill to incorporate the Mercantile Bank, of Louisville.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the West Liberty and Cross Roads Turnpike Road Company;

An act to amend and reduce into one the several acts incorporating the town of Brookville, in Bracken county;

An act to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream;

An act to authorize T. D. Marcum and M. H. Johns to erect a boom across Wolf creek, in Martin county;

An act to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county;

An act to prohibit the sale of spirituous, vinous, or malt liquors within the Crittenden magisterial district, in Grant county;

An act to amend an act to incorporate the town of Smith's Grove;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act reducing the salary of the toll-gate keepers on the Wilderness Turnpike Road;

An act to prevent the destruction of fish in the Kentucky river and its tributaries;

An act to amend the charter of the town of Blandville, in Ballard county;

An act for the benefit of A. H. Calvin, of Fayette county;

An act for the benefit of C. G. Beard, of Clinton county;

An act for the benefit of E. G. Davidson;

An act for the benefit of James M. Eifort;

An act for the benefit of James B. Wiley, of McCracken county;

An act for the benefit of John G. Johns, of Floyd county;

An act exempting the property now occupied by N. F. Smith, in Harrison county, for school purposes, from taxation;

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county;

An act for the benefit of Green V. Holland;

An act to incorporate Proctor Male and Female Seminary, in Lee county;

An act for the benefit of school district No. 38, in Trigg county;

An act for the benefit of school district No. 19, of Hancock county;

An act for the benefit of B. L. Carr;

An act to establish an institution of learning in the town of Hardinsville, in Shelby county, to be known as the Lee Academy;

An act to amend an act for the protection of sheep in this Commonwealth, approved January 31, 1865;

An act for the benefit of Fleming County Seminary;

An act to repeal an act passed 10th March, 1854, granting the trustees of the Dover Seminary power to control the public school fund of school district No. 2, in Mason county;

An act to incorporate the Bear Creek Navigation, Mining, and Manufacturing Company;

An act to amend an act, entitled "An act to cause good schoolhouses to be erected in the Eighth and Ninth Congressional Districts," approved 10th March, 1871;

An act to amend the charter of the town of Hustonville, and amendments thereto;

An act appointing trustees for Williamstown Cemetery, in Grant county;

An act to amend the charter of the Kentucky Association for the Improvement of the Breed of Stock;

An act to amend the charter of the St. Bernard Coal Company;

An act for the benefit of James Vinson and others, in Hardin county;

An act to amend an act, entitled "An act to reduce into one the several acts regulating the Butler Seminary;"

An act to change the time of holding the Barren circuit court;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

Mr. Foote, from the Committee on Banks, to whom leave was referred, with directions to prepare and bring in

A bill to amend an act, entitled "An act for the benefit of the incorporated banks of Kentucky,"

Moved that said committee be discharged from the further consideration of said bill.

And the question being taken on the motion of Mr. Foote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garnett and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary), | J. Guthrie Coke, | E. A. Robertson, |
| Wm. A. Allen, | C. D. Foote, | John Rowan, |
| A. C. Armstrong, | E. Polk Johnson, | John P. Rowlett, |
| Alpheus W. Bascom, | T. J. Jones, | Harry I. Todd, |
| J. A. Bell, | J. S. Lawson, | T. W. Varnon, |
| J. C. S. Blackburn, | T. J. Megibben, | E. F. Waide, |
| Wm. F. Bond, | J. C. Moorman, | C. H. Webb, |
| John S. Carpenter, | Lewis Potter, | J. M. Wright—26. |
| B. E. Cassilly, | W. L. Reeves, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | C. P. Gray, | Julian N. Phelps, |
| G. W. Bailey, | Clinton Griffith, | Hiram S. Powell, |
| S. C. Bell, | Wm. A. Hoskins, | J. R. Sanders, |
| Church H. Blakey, | George M. Jessee, | Wm. Sellers, |
| Thomas P. Cardwell, | T. M. Johnson, | J. S. Taylor, |
| James S. Chrisman, | L. W. Lassing, | George M. Thomas, |
| Thomas H. Corbett, | G. W. Little, | C. W. Threlkeld, |
| J. E. Cosson, | J. J. McAfee, | L. W. Trafton, |
| W. H. Evans, | Bryan S. McClure, | Joseph T. Tucker, |
| James B. Fitzpatrick, | Wm. J. McElroy, | J. M. White, |
| James Garnett, | M. E. McKenzie, | F. A. Wilson, |
| Wm. Cassius Goodloe, | Wm. Mynhier, | Jonas D. Wilson, |
| E. A. Graves, | Mat. Nunan, | J. N. Woods—39. |

And so the House refused to discharge said committee.

Thereupon Mr. Foote, from said committee, reported a bill of the title aforesaid, with the expression of the opinion of the committee that said bill ought not to pass.

Which was read the first time and ordered to be read a second time.

Mr. Graves then moved that said bill be read a second time to-morrow at 3½ o'clock, P. M.

And on this question the yeas and nays were demanded by Messrs. Waide and Rowlett; but before the completion of the call of the roll, the hour of 5 o'clock, P. M., arrived, when, under the rule heretofore adopted, the House adjourned.

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## TUESDAY, MARCH 12, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming.

An act for the benefit of the Murphysville Turnpike Road Company, in Mason county.

An act to amend the charter of the New Castle and Eminence Turnpike Road.

An act to incorporate the Catnip Hill Turnpike Road Company, in Jessamine county.

An act allowing David Pryse, Z. T. Martin, and James M. Beatty to construct wharves at their respective landings at Beattyville.

An act to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company.

An act to exempt footmen from bridge toll.

An act to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company.

An act to incorporate the Carrsville Silver and Lead Mining Company.

An act to amend the charter of the Big Sandy Navigation and Manufacturing Company.

An act for the benefit of William Day, of Breathitt county.

An act to incorporate the Southside Turnpike Road Company.

An act to incorporate the Newport Gas-light and Fuel Company.

An act to incorporate the Hopkinsville Gas and Mining Company.

An act to incorporate the Smithfield and Pendleton Turnpike or Gravel Road Company.

An act to incorporate the Green River Lock and Dam Company.

An act to incorporate the Eagle Creek, Dallasburg, and Bethel Turnpike Road Company.

An act to amend the charter of the town of Owenton,

An act to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10, 1871.

An act to amend the charter of the Paducah and Illinois Bridge Company.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Jefferson Southern Pond Draining Company,'" approved March 9, 1868.

That they had disagreed to a bill, which originated in the House of Representatives, of the following title, viz:

An act to increase the jurisdiction of the police judge of Woodville, in McCracken and Ballard counties.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of intoxicating liquors in the town of Claysville.

An act to protect small birds in Bracken county.

An act in relation to the sale of spirituous and other liquors in the county of Spencer.

An act to prohibit the sale of intoxicating liquors in Potsville district, in Washington county.

An act to repeal an act, entitled "An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown precinct, No. 4, in Clark county."

An act for the benefit of the sureties of James B. McWhorter, late sheriff of Taylor county.

An act to transcribe certain surveyors' books of Breathitt county.

An act to incorporate the Church House for Females and Infirmary for the Sick.

An act to authorize the trustees of the Hancock Seminary to dispose of a lot of ground in Hancock county.

An act to amend the charter of Lancaster Cemetery Company.

An act to prohibit the sale of liquor in Letcher county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county."

An act to prohibit the sale of intoxicating liquors in Pulaski county.

An act to regulate the sale of liquors in Marion county.

With amendments to the last four named bills.

And that they had passed bills of the following titles, viz:

1. An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

2. An act requiring the Jefferson county court to appoint a measurer of tan-bark for said county.

3. An act for the benefit of Tho. D. Grundy, sheriff of McCracken county.

4. An act to prevent the sale of spirituous liquors in the town of Burksville.

5. An act to incorporate the Central Kentucky Medical Association.

6. An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 3d to the Committee on Ways and Means; the 2d to the Committee on County Courts; the 4th to the Committee on Religion; the 5th to the Committee on Corporate Institutions; and the 6th to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ferguson—

1. A bill to amend the charter of the city of Louisville, regulating the sale of fresh meats in small quantities.

On motion of Mr. Waring—

2. A bill to legalize the orders and judgments of the Greenup quarterly court at its March term, 1869.

On motion of Mr. Griffith—

3. A bill to charter the Hancock Mining and Railroad Company.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st; the Committee on Railroads the 3d; and a select committee, consisting of Messrs. Waide, Varnon, and Chrisman, the 2d.

Mr. Hoskins presented the petition of sundry citizens of Boyle county, praying the passage of an act to require the county judge of said county, on the application of a certain number of citizens, to submit the question of retailing spirits in that county to a vote of its people.

Which was received, the reading dispensed with, and referred to the Committee on Religion.

Mr. Jessee, from the Committee on Charitable Institutions, to whom was referred a bill from the Senate, entitled

An act to provide for the location and erection of the Third Lunatic Asylum,

Reported the same with an amendment thereto.

*Ordered*, That the consideration of said bill be postponed to, and made the special order of the day for, Thursday, the 14th inst., at 10½ o'clock, A. M., and that the same be printed.

Mr. Graves, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill to provide for a geological and mineralogical survey of the State.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed, and that its further consideration be postponed to, and made the special order of the day for, Friday, the 15th inst., at 10½ o'clock, A. M.

Mr. Wright, from the select committee who were directed to prepare and bring in the same, reported

A bill for the promotion of medical science, and to prevent the traffic in dead bodies.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed, and that the further consideration thereof be postponed to, and made the special order of the day for, Friday next, at fifteen minutes before ten o'clock, A. M.

On motion of Mr. Mynhier,

*Ordered*, That a committee, consisting of Messrs. Mynhier, Waide, and McClure, be appointed, to act in conjunction with a similar committee to be appointed by the Senate, to wait on the Governor and request him to return, unsigned, a bill which originated in this House, entitled

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county.

According to order, the House took up the amendments proposed by the Senate to a bill which originated in this House, entitled

A act to lay off the State into ten Congressional Districts.

The first amendment proposed by the Senate is as follows, viz:

Transfer the county of Green from the Eighth to the Fourth District.

The question was then taken on concurring in said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sam'l M. Sanders and T. M. Johnson, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | George M. Jessee, | J. R. Sanders, |
| Wm. A. Allen, | G. W. Little, | Samuel M. Sanders, |
| A. C. Armstrong, | Wm. J. McElroy, | J. S. Taylor, |
| W. R. Bates, | Wm. Mynhier, | C. W. Threlkeld, |
| John S. Carpenter, | J. L. Nall, | E. F. Waide, |
| J. Guthrie Coke, | John P. Rowlett, | S. H. Woolfolk, |
| R. L. Cooper, | J. P. Sacksteder, | J. M. Wright—22. |
| C. P. Gray, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. S. Arnold, | W. H. Evans, | W. L. Reeves, |
| W. W. Ayers, | James B. Fitzpatrick, | E. A. Robertson, |
| G. W. Bailey, | C. D. Foote, | John Rowan, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. N. Beckham, | E. A. Graves, | Wm. Sellers, |
| John A. Bell, | Clinton Griffith, | James W. Snyder, |
| S. C. Bell, | Wm. A. Hoskins, | Wm. Tarlton, |
| J. C. S. Blackburn, | Thos. M. Johnson, | George M. Thomas, |
| Church H. Blakey, | T. J. Jones, | Harry I. Todd, |
| Wm. F. Bond, | L. W. Lassing | L. W. Trafton, |
| W. B. M. Brooks, | J. S. Lawson, | Joseph T. Tucker, |
| Thomas P. Cardwell, | Bryan S. McClure, | T. W. Varnon, |
| George Carter, | M. E. McKenzie, | J. L. Waring, |

| | | |
|---|---|---|
| B. E. Cassilly, | T. J. Megibben, | C. H. Webb, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| C. M. Clay, jr., | Mat. Nunan, | Mordecai Williams, |
| R. D. Cook, | Julian N. Phelps, | F. A. Wilson, |
| Thomas H. Corbett, | Lewis Potter, | Jonas D. Wilson, |
| J. E. Cosson, | Hiram S. Powell, | J. N. Woods—58. |
| Joseph M. Davidson, | | |

And so said amendment was disagreed to.

The second amendment proposed by the Senate is as follows, viz:

Transfer the county of Anderson from the Fourth to the Eighth District.

Said amendment was disagreed to.

The third amendment proposed by the Senate is as follows, viz:

Transfer the counties of Carroll and Trimble from the Sixth to the Seventh District.

The question was taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Jessee and Sanders, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Joseph P. Foree, | J. R. Sanders, |
| W. R. Bates, | James Garnett, | Samuel M. Sanders, |
| S. C. Bell, | George M. Jessee, | Wm. Tarlton, |
| Church H. Blakey, | T. M. Johnson, | J. S. Taylor, |
| Thomas P. Cardwell, | G. W. Little, | C. W. Threlkeld, |
| James S. Chrisman, | Bryan S. McClure, | E. F. Waide, |
| J. Guthrie Coke, | J. L. Nall, | S. H. Woolfolk, |
| R. L. Cooper, | J. P. Sacksteder, | J. M. Wright—25. |
| Thomas H. Corbett, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | W. L. Reeves, |
| Wm. A. Allen, | C. D. Foote, | E. A. Robertson, |
| A. S. Arnold, | Wm. Cassius Goodloe, | John Rowan, |
| W. W. Ayers, | E. A. Graves, | C. C. Scales, |
| G. W. Bailey, | C. P. Gray, | Wm. Sellers, |
| Alpheus W. Bascom, | Clinton Griffith, | James W. Snyder, |
| W. N. Beckham, | Wm. A. Hoskins, | George M. Thomas, |
| John A. Bell, | T. J. Jones, | Harry I. Todd, |
| J. C. S. Blackburn, | L. W. Lassing, | L. W. Trafton, |
| Wm. F. Bond, | J. S. Lawson, | Joseph T. Tucker, |
| W. B. M. Brooks, | M. E. McKenzie, | T. W. Varnon, |
| W. W. Bush, | T. J. Megibben, | J. L. Waring, |
| John S. Carpenter, | J. C. Moorman, | C. H. Webb, |
| George Carter, | Wm. Mynhier, | J. M. White, |
| B. E. Cassilly, | Mat. Nunan, | Mordecai Williams, |
| C. M. Clay, jr., | John W. Ogilvie, | F. A. Wilson, |
| R. D. Cook, | Julian N. Phelps, | Jonas D. Wilson, |

Joseph M. Davidson, Lewis Potter, J. N. Woods—56.
W. H. Evans, Hiram S. Powell,

And so said amendment was disagreed to.

The fourth amendment proposed by the Senate is as follows, viz:

Transfer the county of Bourbon from the Seventh to the Sixth District.

Said amendment was disagreed to.

The hour of eleven o'clock, A. M., having arrived, according to order, the House resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. Waide being called to, the Chair; and, after a time spent therein, the committee rose, and Mr. Waide, the Chairman, reported that the committee had had under further consideration a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

And had made still further progress therein, but not having time to complete its consideration on this day, had risen, and directed him to report progress, and to ask leave to sit again on to-morrow at 11 o'clock, A. M.; which was granted.

A message was received from the Governor, in writing, by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

*Gentlemen of the House of Representatives:*

The bill which originated in your body, entitled "An act to incorporate the Falls City Levee and Bridge Company," creates a corporation and allows its capital stock to be two millions of dollars. It provides that when twenty-five thousand dollars of stock is subscribed for, and five per cent. of that subscription is paid in, the company may organize and proceed to business.

The company is *authorized* by the fourth section to "levee, drain, and reclaim the land, or any part thereof, lying in the bottom near and northeast of Louisville, Kentucky, between the Ohio river and the hills, and extending from the mouth of Beargrass creek, and what is known as the 'Cut-off,' to Goose creek or to Harrod's creek." Power is given to the company to make surveys, locate and construct dykes, ditches, levees, embankments, wharves, piers, culverts, roads, bridges, guard locks and dams, anywhere, and upon or through the lands of any person within the territory before mentioned; and the company is authorized to clear out obstructions, straighten streams, widen any creek or branch, and to divert the course thereof; construct

works over, under, or across any public road, and take and appropriate to its own purposes such lands, earth, stone, *and all other materials* necessary to the ends aforesaid. If the owners of the land or material desired by the company shall be unwilling to give or sell it, the company is vested with power to proceed by writ of *ad quod damnum*, and take possession of it. Commissioners are to be appointed to ascertain what lands will be benefited by such improvements, and to report the names of the owners and the value of the lands. An election is then to be ordered by the county court, at which all the voters within the territory are to be allowed to vote on the question whether they are in favor of the improvement or against it. If the vote be for it, then the county court is directed to levy a tax upon all the lands so included in the boundary found by the commissioners to be benefited by the proposed improvements—not to exceed two dollars on each acre—and a collector thereof is to be appointed by the court, who is required to collect and pay the same over to the treasurer of the company; and if any land-holder fails to pay the tax levied upon his land, on or before the 15th June of each year, the company may, by a proceeding in the Louisville chancery court, have the land sold for such delinquent taxes. After a sufficient amount has been collected to pay for the ditching, levees, embanking, bridging, &c., an annual tax is then to be levied upon the land owners to keep the same in repair. This corporation is made up of a few private individuals, to-wit: those who shall become stockholders; and the bill expressly allows them, proceeding in their corporate name, to take from the citizen his land and other property, and appropriate the same to their own uses and purposes.

The company is authorized to turn loose upon the citizen's farm an unwelcome water-course, to cut and open ditches, build levees, bridges, &c., through and upon his farm, as they shall fancy will most conduce to his convenience or to their interest, or they may turn away from his farm a valuable stream of water. It provides for the imposition of a tax of two dollars on each acre of all the land within the territory named in the bill (and indeed all other lands which, in the judgment of the commissioners, will be benefited by the proposed improvement), and directs it to be collected and paid over to the company; and if any land-holder shall fail to pay the tax till after the 15th June, the land is to be sold therefor by a proceeding prosecuted in the Louisville chancery court. And whilst all these

extraordinary powers and privileges are conferred upon the company, there is no provision whatever requiring the company to expend or use any portion of the money so collected from the people in making any of the improvements under pretense of which the collection is made; but the corporation is left with the people's money in its hands to make the improvements, or not, as it shall choose. The provision in the bill directing an election to be held is vague, uncertain, and of doubtful construction. I presume it was intended to mean that a majority of the votes cast, being in favor of levying the tax, should be a condition upon which it could be assessed and collected; but it occurs to me that private property cannot be voted away by majorities and given to the private purposes of others; it is levying an exaction upon the many for the benefit of a few; it is a species of agrarianism that destroys all rights in property, and is, in my judgment, violative of the Constitution, which wisely provides that "no man or set of men are entitled to exclusive separate public emoluments or privileges from the community but in consideration of public services." This bill does give "a set" of men exclusive privileges, authorizing them to exact from the community, within the boundary named, an indefinite amount of money, and that without any service to the community.

The bill also gives the corporation the right to "locate and construct works over, under, or across any public road;" *but no provision is made to secure the public travel against danger to life, or damages that may result thereby.* Why should such exclusive privileges be granted? And if granted, ought not the public to be protected from every danger resulting therefrom? A close inspection of the bill will manifest other provisions extraordinary and dangerous to the public, which, together with the objections hereinbefore indicated, impel me to withhold my approval, and I herewith return the bill for your reconsideration.

Respectfully,

P. H. LESLIE.

The bill so returned by the Governor is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John T. Bates, John R. Throckmorton, Jas. W. Bowles, Thos. P. Jacob, Chas. P. Rudd, John B. McFerran, James Callahan, J. C. Metcalf, Wm. R. Ray, Andrew Graham, James C. Johnston, Julius Dorn, Charles Clifton, Wm. Johnston, John S. Cain, Chas. M. Thruston, Jas. S. Barrett, Geo. P. Doern, J. Richard Barret, Cuthbert Bullitt, and their successors and assigns, are hereby constituted and declared a body-corporate, under the name and style of the "Falls City Levee and Bridge Company;" and by that name and style

may sue and be sued; contract and be contracted with; own such real estate by gift, purchase, or subscription, as may be necessary for the purposes hereof, and sell and convey the same; have a common seal, and alter it at pleasure; make by-laws not inconsistent with the Constitution and laws of this State or of the United States.

§ 2. The capital stock shall be one hundred thousand dollars, which may be increased, as deemed necessary by the board of directors, to two millions of dollars, said stock to be divided into shares of one hundred dollars each, and may be subscribed for by any individual, town, city, county, or corporation; and whenever twenty-five thousand dollars of the capital stock is subscribed for, and five per cent of the subscription is paid in, the directors may organize the company by the election of president and other officers.

§ 3. The individuals above named shall constitute the first board of directors, and hold office until their successors are elected and qualified, and may fill all vacancies occurring in their body by death, resignation, or otherwise. No one can act as director who does not hold at least one share of stock. The election of directors shall be held at such times and in such manner as prescribed by the by-laws, each share of stock entitled to one vote, which may, in said election, be cast by the owner thereof or by proxy.

§ 4. This company is authorized and empowered to levee, drain, and reclaim the land, or any part thereof, lying in the bottom near, and northeast of, Louisville, Kentucky, between the Ohio river and the hills, and extending from the mouth of Beargrass creek, and what is known as the "Cut-off" to Goose creek or to Harrod's creek.

§ 5. In order to accomplish the objects proposed, said company is hereby invested with all the powers necessary for a body-corporate; and may survey, locate, and construct dykes, ditches, levees, embankments, wharves, piers, culverts, roads, bridges, guard-locks and dams; may clear out obstructions, straighten or widen any creek or branch, and divert the course thereof, within the territory named; may locate and construct works over, under, or across any public road; and may appropriate to the uses and purposes contemplated by this act such lands, earth, stone, and all other materials necessary to the establishment, construction, alteration, and maintenance of the dykes, ditches, levees, culverts, roads, bridges, embankments, &c., as aforesaid; and for these ditches, dykes, levees, roads, dams, culverts, &c., said company may acquire the right of way by gift, purchase, or otherwise. If, however, persons whose land or materials are needed for the purposes aforesaid are unwilling to have the same so appropriated, and cannot agree with the board of directors as to the amount to be paid for the same, by application of said company to the county court of Jefferson county, the same may be condemned by writ of *ad quod damnum* issued therefrom, and said company shall be adjudged to pay to the owners what may thus be found to be the value of the land and materials. In case either party shall be dissatisfied with the finding of the jury, or of the court, upon the trial

of the said writ, an appeal may be had to the court of common pleas of Jefferson county, where the case shall be docketed and triable as other cases; but from the decision of the court of common pleas there shall be no further appeal.

§ 6. As the benefits arising from the work proposed by this company will inure to all who own land in and adjoining the bottom mentioned, it is but just and fair that every man or estate benefited thereby should pay his proportional share of the expense incurred in leveeing, draining, and reclaiming these bottom lands as proposed; and to accomplish this the county court of Jefferson county may cause a tax to be assessed and collected upon the lands so benefited, in the manner hereinafter provided. The tax thus imposed shall be a personal demand against the property-holders, and shall be a lien upon their land. The amount of tax shall not exceed two dollars per acre. The collector thereof shall be appointed by the judge of the county court of Jefferson county, who, before entering upon his duties, shall give bond, with approved security, for the faithful performance of his duties, to-wit: That he will use due diligence in making collections from the persons assessed by this act, and make prompt payment of all moneys received by him to the treasurer of this company.

§ 7. The judge of the county court of Jefferson county shall appoint three commissioners, whose duty it shall be to ascertain at once what lands are benefited by the proposed improvements, and report the names of the owners thereof, and, at the same time, designate, by a general boundary, the territory which, in their opinion, will include all the lands which derive benefit from, and should be taxed for, the improvements contemplated by this company.

§ 8. When said report is made, it shall be the duty of said county judge to order an election at some convenient point within the district of lands reported by the commissioner as benefited by the proposed works, at which the voters within said boundary may express themselves in favor or against the leveeing and draining of said bottom lands as proposed. Twenty days' notice through the daily newspapers of Louisville, and by handbills posted in the most public places within the territory to be taxed, shall be given by said county judge. There shall be three judges of the election appointed by the county court, and they shall keep the polls open from ten o'clock in the morning until two o'clock in the afternoon, on the day fixed by said court for this voting. Said judges shall, upon oath, report the result of said vote to the court aforesaid; and if it be in favor of the improvements and tax proposed, then the commissioners appointed under section seven of this act shall ascertain the number of property-holders within the boundary to be taxed, and the number of acres of land owned by each, and make an assessment against the property of each according to the valuation thereof, and thus fix the amount which every property-holder is to pay for the benefits accruing to his or her land, by reason of the improvements provided for by this act. On or before the 17th day of June of each year the commissioners shall furnish to the county court a report

containing the names of all the property-holders in the territory named, with the number of acres owned by each, an estimate of the benefits, and the tax assessed therefor, calculated and extended up to the date of the return of said report. A certified copy of this report or tax list shall then be placed in the hands of the collector, and the amount assessed shall be due and payable on the fifteenth day of June of each year, and he shall proceed to collect the same; and as fast as said tax is collected, he shall pay the amounts received by him to the treasurer of this company. For final settlement, he is given until the first Monday of December in each year; and said collector upon said settlement shall be allowed the same commissions as the sheriff receives for the collection of the county taxes.

§ 9. After a sufficient amount has been collected as aforesaid, to pay for the levees, drains, embankments, &c., proposed, and the work has been done and paid for, the board of directors of this company, by application to the county court, may, through the said commissioners and collector, assess and collect a tax upon the lands within the boundary above mentioned, sufficient in amount each year to keep and maintain the levees, dykes, ditches, wharves, &c., in repair.

§ 10. If the owners of land, or any of them, within the boundary aforesaid, shall fail or refuse to pay the tax levied upon his, her, or their lands, in accordance with the provisions of this act, this company, through their board of directors, may sue for and recover the same in the Louisville Chancery Court by petition; and said court is hereby fully vested with jurisdiction of all cases which may arise under this act. Said court may, upon the application of said Falls City Levee and Bridge Company, foreclose and enforce the lien herein given upon the lands, and for the tax as above described and provided for.

§ 11. The treasurer of the company, before entering upon his duties, shall execute a bond, with such security as is required of the collector. It shall be his duty to make all settlements with the collector, to receive all moneys due from said collector, from all other sources, to the company; he shall pay out the same upon orders signed by the president and secretary of said company.

§ 12. Said Falls City Levee and Bridge Company is hereby invested with all the rights, powers, and privileges necessary to the construction of a bridge across the Ohio river, from some convenient point above the corporate limits of the city of Louisville to some convenient point on the Indiana side of said river; and also to purchase and condemn, by writ of *ad quod damnum*, provided by statute law, as much real estate as may be necessary for the site of said bridge, and for the piers, abutments, toll-houses, and suitable avenues leading to the same: *Provided*, That said bridge be so constructed as not to obstruct navigation further than the laws of the United States shall hold to be legal. Said company may extend a railway over said bridge, with as many tracks as may be deemed necessary, and shall have the right to fix fair and reasonable rates of toll for passing over said bridge, and collect the same from all and every person or persons passing thereon, upon all goods and chattels, vehicles and ani-

mals, of every kind and description, passing or carried thereon; and for this purpose toll-gates may be erected at each or either end of said bridge, and the rates of toll shall be posted in conspicuous places where tolls are demanded.

§ 13. That if any person or persons shall willfully and knowingly do any act, or anything whatever, whereby said bridge, or anything thereto belonging, shall be impaired or damaged, the said person or persons so offending shall forfeit and pay three times the amount of the damages sustained, together with the costs of suit, recoverable before any court of competent and legal jurisdiction; and any person or persons who shall pass or attempt to pass over said bridge without paying the toll or tendering it, if there be any person present to receive it, shall forfeit and pay three times the amount of the toll or tolls which he, she, or they were liable to pay for passing over said bridge, recoverable before any justice of the peace in this Commonwealth. And further, if any person or persons shall willfully set fire to said bridge or burn the same, or any part thereof, such person or persons so offending, with their aiders and abettors, shall be guilty of arson, and punished accordingly.

§ 14. Said company is authorized to borrow money upon such time, terms, and rates of interest as they may deem expedient; and may issue bonds of such denomination as they may choose, from one hundred dollars to one thousand dollars each; and as security for said bonds and the coupons thereto attached, all the property, profits, franchises, rights, &c., may be pledged by mortgage; and all bonds issued shall be binding upon said company, and may be hypothecated or sold, as the president and directors may determine.

§ 15. No bridge, or anything herein allowed, shall be done or erected within the corporate limits of the city of Louisville without the consent of the general council thereof.

§ 16. The stock subscribed for in this company may be paid in cash, in real estate, or in work and labor, or in materials furnished, and shall be considered personal property, and transferred by assignment.

§ 17. This act to take effect from its passage.

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. D. Foote, | E. A. Robertson, |
| Wm. A. Allen, | James Garnett, | John Rowan, |
| A. C. Armstrong, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| A. S. Arnold, | E. A. Graves, | Samuel M. Sanders, |
| W. W. Ayers, | C. P. Gray, | C. C. Scales, |
| G. W. Bailey, | Clinton Griffith, | William Sellers, |

| | | |
|---|---|---|
| Alpheus W. Bascom, | George M. Jessee, | Wm. Tarlton, |
| W. R. Bates, | E. Polk Johnson, | J. S. Taylor, |
| W. N. Beckham, | T. M. Johnson, | George M. Thomas, |
| S. C. Bell, | T. J. Jones, | C. W. Threlkeld, |
| J. C. S. Blackburn, | L. W. Lassing, | Harry I. Todd, |
| Wm. F. Bond, | J. S. Lawson, | L. W. Traiton, |
| W. B. M. Brooks, | G. W. Little, | T. W. Varnon, |
| George Carter, | J. J. McAfee, | E. F. Waide, |
| B. E. Cassilly, | Bryan S. McClure, | J. L. Waring, |
| James S. Chrisman, | William J. McElroy, | C. H. Webb, |
| J. Guthrie Coke, | T. J. Megibben, | J. M White, |
| R. D. Cook, | J. C. Moorman, | Mordecai Williams, |
| R. L. Cooper, | Wm. Mynhier, | F. A. Wilson, |
| J. E. Cosson, | J. L. Nall, | J N. Woods, |
| Joseph M Davidson, | Julian N. Phelps, | S. H. Woolfolk, |
| M. Woods Ferguson, | Lewis Potter, | J. M. Wright—58. |
| James B. Fitzpatrick, | W. L. Reeves, | |

And so said bill was rejected.

On motion of Mr. Carpenter, a committee was appointed, consisting of Messrs. Carpenter, Corbett, and Robertson, to wait upon the Senate, and ask leave to withdraw therefrom the announcement of the passage of a bill by the House of Representatives, entitled

An act to incorporate the Good Templars' Widow and Orphans' Benefit Association.

After a time, Mr. Blakey moved to reconsider the vote adopting the motion of Mr. Carpenter.

The question was then taken on the motion of Mr. Blakey, but no quorum voting thereon, said motion was placed in the orders of the day.

The House then took up from the orders of the day, and proceeded to consider still further, a bill from the Senate, entitled

An act to incorporate the Exchange Bank and Tobacco Warehouse Company,

With the amendments proposed by the committee.

Said amendments were then adopted.

Mr. Foote offered an amendment, which was also adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House took up and proceeded to consider still further

A bill concerning the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receivers of the Louisville chancery court.

Amendments offered by Mr. Wright and Mr. Coke were adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion, leave of absence, indefinitely, was granted to Messrs. Goodloe, Rowlett, Powell, Cosson, Cardwell, J. D. Wilson, W. H Evans, and Deaderick.

A message was received from the Senate, asking leave to withdraw from this House the announcement of their disagreement to a bill, which originated in this House, entitled

An act for the benefit of James Turner, late sheriff of Perry county.

Which was granted.

The House took up the amendments proposed by the Senate, to bills which originated in this House, of the following titles, viz:

An act prohibiting the sale of spirituous liquors in Garrard county.

An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county.

An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county.

An act to incorporate the Commercial Bank of Lebanon

An act to incorporate the Louisville Stock and Bond Board.

An act to prevent the destruction of fish in Little Kentucky river, in Carroll and Trimble counties.

Said amendments were severally concurred in, and the title of the last named bill changed so as to read,

An act to prevent the destruction of fish in Little Kentucky river and other streams in Carroll and Trimble counties.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Waring, from the Committee on Railroads—

A bill to amend the charter of the Clarksville and Princeton Railroad Company.

By Mr. Chrisman, from a select committee—

A bill to legalize the judgments and orders of Greenup county quarterly court at its March term, 1869.

By Mr. Bascom, from the Committee on Banks--

A bill to incorporate the Bank of Trenton, in Todd county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

According to order, the House resumed the consideration of a bill, entitled

A bill to subject bank stock to taxation for county and municipal purposes.

Said bill was then read a second time.

Mr. Wright offered an amendment to said bill.

Mr. Griffith offered an amendment to the amendment proposed by Mr. Wright.

Mr. Coke then moved to recommit the bill and amendments to the Committee on the Revised Statutes.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | J. Guthrie Coke, | J. P. Sacksteder, |
| G. W. Bailey, | C. D. Foote, | Samuel M. Sanders, |
| Wm. F. Bond, | Clinton Griffith, | L. W. Trafton, |
| B. E. Cassilly, | T. J. Megibben, | J. M. Wright—12. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Wm. A. Hoskins, | John Rowan, |
| W. W. Ayers, | George M. Jessee, | C. C. Scales, |
| Alpheus W. Bascom, | E. Polk Johnson, | William Sellers, |
| W. R. Bates, | T. M. Johnson, | James W. Snyder, |
| W. N. Beckham, | T. J. Jones, | William Tarlton, |
| John A. Bell, | L. W. Lassing, | J. S. Taylor, |
| S. C. Bell, | G. W. Little, | George M. Thomas, |
| J. C. S. Blackburn, | J. J. McAfee, | C. W. Threlkeld, |
| Church H. Blakey, | Bryan S. McClure, | Harry I. Todd, |

| | | |
|---|---|---|
| W. B. M. Brooks, | William J. McElroy, | Joseph T. Tucker, |
| Thomas P. Cardwell, | J. C. Moorman, | T. W. Varnon, |
| George Carter, | Wm. Mynhier, | E. F. Waide, |
| R. L. Cooper, | J. L. Nall, | J. L. Waring, |
| Thomas H. Corbett, | Mat. Nunan, | J. M. White, |
| J. E. Cosson, | John W. Ogilvie, | Mordecai Williams, |
| Joseph M. Davidson, | Julian N. Phelps, | F. A. Wilson, |
| James B. Fitzpatrick, | Lewis Potter, | Jonas D. Wilson, |
| James Garnett, | Hiram S. Powell, | J. N. Woods, |
| E. A. Graves, | E. A. Robertson, | S. H. Woolfolk—58. |
| C. P. Gray, | | |

Mr. Griffith's amendment to the amendment proposed by Mr. Wright was then rejected.

Mr. Coke offered an amendment to the amendment of Mr. Wright.

Mr. Cooper then moved to reconsider the vote by which the House refused to recommit the bill and amendments to the Committee on the Revised Statutes.

Mr. Graves moved to lay the motion of Mr. Cooper on the table.

And the question being taken thereon, it was decided in the affirmative.

The amendment of Mr. Coke to the amendment offered by Mr. Wright was then rejected.

Mr. Cassilly offered an amendment to the amendment offered by Mr. Wright.

The question was then taken on the amendment to the amendment proposed by Mr. Cassilly, but no quorum voting thereon, said bill and amendments fell into the orders of the day.

Mr. Graves then moved that the rule be suspended, and take up said bill from the orders of the day.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Cassilly, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | E. A. Graves, | Samuel M. Sanders, |
| W. W. Ayers, | C. P. Gray, | C. C. Scales, |
| Alpheus W. Bascom, | Wm. A. Hoskins, | Wm. Sellers, |
| W. R. Bates, | George M. Jessee, | Wm. Tarlton, |
| W. N. Beckham, | T. M. Johnson, | J. S. Taylor, |
| John A. Bell, | L. W. Lassing, | C. W. Threlkeld, |
| S. C. Bell, | G. W. Little, | Harry I. Todd, |
| Wm. F. Bond, | J. J. McAfee, | T. W. Varnon, |
| W. B. M. Brooks, | Bryan S. McClure, | E. F. Waide, |
| Thomas P. Cardwell, | William J. McElroy, | J. L. Waring, |

| | | |
|---|---|---|
| John S. Carpenter, | Wm. Mynhier, | C. H. Webb, |
| James S. Chrisman, | J. L. Nall, | J. M. White, |
| Thomas H. Corbett, | Mat. Nunan, | F. A. Wilson, |
| J. E. Cosson, | John W. Ogilvie, | Jonas D. Wilson, |
| James B. Fitzpatrick, | Julian N. Phelps, | J. N. Woods, |
| James Garnett, | John Rowan, | S. H. Woolfolk—48. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | E. Polk Johnson, | J. P. Sacksteder, |
| Wm. A. Allen, | T. J. Megibben, | James W. Snyder, |
| J. C. S. Blackburn, | J. C. Moorman, | George M. Thomas |
| Church H. Blakey, | Lewis Potter, | L. W. Trafton, |
| B. E. Cassilly, | Hiram S. Powell, | Joseph T. Tucker, |
| J. Guthrie Coke, | W. L. Reeves, | Mordecai Williams, |
| R. L Cooper, | E. A. Robertson, | J. M. Wright—22. |
| Clinton Griffith, | | |

And so said bill and amendments were taken up.

Mr. Cassilly's amendment to the amendment was then rejected.

Mr. Griffith then offered an amendment to the amendment proposed by Mr. Wright, which was rejected.

Mr. Wright's amendment was then rejected.

*Ordered*, That said bill be engrossed and read a third time.

On motion of Mr. Graves,

*Ordered*, That said bill be read a third time to-morrow at 3½ o'clock, P. M.

The House then took up and proceeded to consider further

A bill to amend an act, entitled "An act for the benefit of the incorporated banks of Kentucky."

Said bill was read a second time.

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

And so said bill was rejected.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That before the sale or disposal of any of the pledges or securities mentioned in section two of said act, the party depositing the same shall have at least thirty days' notice, in writing, if a resident of this State, and shall also give his consent, in writing, to such sale. If the party depositing the same is not a resident of this State, the bank, before proceeding to sell or dispose of the pledges or securities, shall cause notice to be inserted in some newspaper of general circulation for at least thirty days; but nothing in this act shall be construed to confer power or authority on said banks to sell or dispose of real estate, or any interest therein, so given in pledge or as security, otherwise than by regular judicial proceedings.

§ 2. That the party depositing the pledge or security shall have a right to renew his said debt, and have the time of payment thereof extended for ninety (90) days, by giving good personal security; and it shall be lawful for the party making said pledge, at any time within thirty days after the maturity of his said debt, to tender to said bank his note, with good and solvent personal security, due and payable to said bank in ninety days after the date thereof, for the amount, principal and interest, of said debt, which note shall be made negotiable and payable at said bank; and if said bank shall refuse to accept said note in lieu of his said debt and the security, the lien of said bond, on the pledge or security, shall be released, and the person so pledging the same shall have a right to take possession thereof, and the same shall not thereafter be liable to said debt.

§ 3. That the 3d section of said act be, and the same is hereby, repealed.

§ 4. This act shall take effect from and after its passage.

Mr. Bascom, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act to incorporate the Shippers' Tobacco Bank,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to amend the charter of the town of Lancaster;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 2, article 5, chapter 32, of the Revised Statutes;

An act to repeal chapter 853 of the acts approved at the session of 1869–'70;

An act to amend an act, entitled "An act for the benefit of the sureties of W. B. Simmons, late sheriff of Meade county;"

An act to change the name of Greenupsburg to Greenup;

An act for the benefit of David Wortham, of Graves county;

An act to organize and establish a system of public schools in the city of Hopkinsville for white children in said city;

An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro for white children in said city," approved March 13, 1871;

An act to repeal an act to amend the charter of the city of Paris, approved March 18, 1870;

An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8, 1871;

An act to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17, 1871;

An act to amend the charter of the Citizens' Passenger Railroad, of Louisville;

An act to amend an act, entitled "An act incorporating the town of Nebo, in Hopkins county;"

An act to amend the charter of the town of Bardstown, in Nelson county;

An act to extend the boundary of the city of Owensboro;

An act to change the corporate limits of the town of Springfield, in Washington county;

An act to amend an act, entitled "An act to incorporate the town of Morses, in Graves county," approved March 21, 1871;

An act to enlarge the boundaries of the town of Morganfield, in Union county;

An act to amend the charter of Owensboro;

An act to extend and enlarge the corporate limits of the town of Albany, in Clinton county;

An act to amend the charter of Dixon, in Webster county;

An act to amend the charter of the town of Ashland;

An act to amend the charter of the town of Cloverport;

An act to amend the charter of the town of Slaughtersville, Webster county;

An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad," approved January 22d, 1872;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. White, from the Committee on the Library, moved that said committee be discharged from the order to prepare and bring in

A bill in relation to the purchase of record books and stationery for public use.

Pending consideration of said motion, the House adjourned.

## WEDNESDAY, MARCH 13, 1872.

The following petitions were presented, viz:

By Mr. Robertson—

1. The petition of citizens of Poplar Plains, praying the passage of an act to prevent the sale of spirituous liquors in said town.

By Mr. Arnold—

2. The petition of citizens of Columbus, praying the repeal of an act, approved January 24, 1872, changing the boundary line of said city.

By Mr. Potter—

3. The petition of citizens of Bowling Green, praying the passage of an act exempting certain property from taxation for municipal purposes.

By Mr. Scales—

4. The petition of citizens of Newport, praying for the passage of an act to allow the purchase of footways of Newport and Cincinnati Bridge Company.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion; the 2d and 3d to the Committee on the Revised Statutes; and the 4th to the Committee on Internal Improvement.

A message was received from the Senate, announcing that they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county.

An act to amend an act, approved December 20, 1871, re-establishing the common pleas court in Hickman county, and to repeal an amendment thereto, approved February 6, 1872.

And that they had passed a bill of the following title, viz:

An act to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court, and with the Jefferson court of common pleas, and to provide a room and office for his court.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on the Judiciary.

Mr. F. A. Wilson read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the two Houses of this General Assembly adjourn on the 25th day of March, 1872, said adjournment be *sine die*.

Mr. Graves moved to suspend the rule and take up said resolution for immediate consideration.

And the question being taken thereon, it was decided in the negative, not having received a sufficient number of votes.

The yeas and nays being required thereon by Messrs. E. P. Johnson and Tucker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James B. Fitzpatrick, | John Rowan, |
| W. W. Ayers, | E. A. Graves, | Samuel M. Sanders, |
| G. W. Bailey, | C. P. Gray, | C. C. Scales, |
| Alpheus W. Bascom, | George M. Jessee, | Wm. Tarlton, |
| W. R. Bates, | Bryan S. McClure, | J. S. Taylor, |
| W. N. Beckham, | Wm. J. McElroy, | C. W. Threlkeld, |
| J. A. Bell, | M. E. McKenzie, | E. F. Waide, |
| S. C. Bell, | J. C. Moorman, | J. L. Waring, |
| Church H. Blakey, | Wm. Mynhier, | C. H. Webb, |
| Wm. F. Bond, | J. L. Nall, | J. M. White, |
| John S. Carpenter, | John W. Ogilvie, | Mordecai Williams, |
| George Carter, | Julian N. Phelps, | F. A. Wilson, |
| J. Guthrie Coke, | Lewis Potter, | S. H. Woolfolk—41. |
| Wm. G. Conrad, | W. L. Reeves, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | T. J. Megibben, |
| A. C. Armstrong, | C. D. Foote, | Hiram S. Powell, |
| A. S. Arnold, | Clinton Griffith, | E. A. Robertson, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | J. P. Sacksteder, |
| W. B. M. Brooks, | E. Polk Johnson, | James W. Snyder, |
| Thomas P. Cardwell, | L. W. Lassing, | Harry I. Todd, |
| James S. Chrisman, | J. S. Lawson, | L. W. Trafton, |
| R. L. Cooper, | G. W. Little, | Joseph T. Tucker—24. |

Said resolution was placed in the orders of the day.

Mr. Powell read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this Legislature adjourns on the 25th day of March, 1872, they adjourn to meet again on the 1st Monday in January, 1873.

Mr. Bates moved to suspend the rule, and take up said resolution for immediate action by the House.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | E. A. Graves, | Hiram S. Powell, |
| G. W. Bailey, | C. P. Gray, | W. L. Reeves, |
| Alpheus W. Bascom, | George M. Jessee, | John Rowan, |
| W. R. Bates, | G. W. Little, | Samuel M. Sanders, |
| W. N. Beckham, | Bryan S. McClure, | C. C. Scales, |
| W. W. Bush, | M. E. McKenzie, | J. S. Taylor, |
| Thomas P. Cardwell, | T. J. Megibben, | C. W. Threlkeld, |
| John S. Carpenter, | J. C. Moorman, | J. L. Waring, |
| George Carter, | Wm. Mynhier, | C. H. Webb, |
| William G. Conrad, | J. L. Nall, | Mordecai Williams, |
| James B. Fitzpatrick, | Lewis Potter, | S. H. Woolfolk—33. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Thomas H. Corbett, | Julian N. Phelps, |
| W. W. Ayers, | Joseph M. Davidson, | E. A. Robertson, |
| John A. Bell, | C. D. Foote, | J. P. Sacksteder, |
| S. C. Bell, | Joseph P. Foree, | James W. Snyder, |
| J. C. S. Blackburn, | Clinton Griffith, | Harry I. Todd, |
| Church H. Blakey, | Wm. A. Hoskins, | L. W. Trafton, |
| Wm. F. Bond, | E. Polk Johnson, | Joseph T. Tucker, |
| W. B. M. Brooks, | T. M. Johnson, | T. W. Varnon, |
| B. E. Cassilly, | L. W. Lassing, | E. F. Waide, |
| James S. Chrisman, | J. S. Lawson, | J. M. White, |
| J. Guthrie Coke, | Wm. J. McElroy, | F. A. Wilson, |
| R. L. Cooper, | John W. Ogilvie, | J. M. Wright—36. |

Said resolution was then placed in the orders of the day.

Mr. Carpenter, from the Committee on Insurance, to whom was recommitted

A bill to alter and amend the provisions applicable to Mutual Fire Insurance Companies, contained in an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live-Stock, and all other, except Life Insurance Companies," approved March 12, 1870,

Reported the same with an amendment by way of substitute.

*Ordered*, That the substitute be printed, and the consideration thereof postponed to, and made the special order of the day for, Friday, 15th inst., at 10½ o'clock, A. M.

The hour of eleven o'clock, A. M., having arrived, according to order, the House resolved itself into a Committee of the Whole on

the state of the Commonwealth, the Speaker retiring from, and Mr. Waide being called to, the Chair; and, after a time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Waide, the Chairman thereof, reported that the committee had had under further consideration a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

And had made some further progress therein, but not having time to complete its consideration on this day, had risen, and directed him to ask leave to sit again on to-morrow at 12 o'clock, M.

The question being taken on the motion for leave to sit again at the hour named, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Samuel M. Sanders, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | Hiram S. Powell, |
| Wm. A. Allen, | Thomas H. Corbett, | James W. Snyder, |
| A. C. Armstrong, | Joseph M. Davidson, | Wm. Tarlton, |
| W. W. Ayers, | Joseph P. Foree, | C. W. Threlkeld, |
| G. W. Bailey, | Thos. M. Johnson, | Harry I. Todd, |
| Alpheus W. Bascom, | L. W. Lassing | T. W. Varnon, |
| W. N. Beckham, | J. S. Lawson, | E. F. Waide, |
| Church H. Blakey, | G. W. Little, | C. H. Webb, |
| W. B. M. Brooks, | Wm. J. McElroy, | Mordecai Williams, |
| Thomas P. Cardwell, | M. E. McKenzie, | S. H. Woolfolk, |
| John S. Carpenter, | J. L. Nall, | J. M. Wright—35. |
| George Carter, | John W. Ogilvie, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. R. Bates, | Clinton Griffith, | E. A. Robertson, |
| John A. Bell, | Wm. A. Hoskins, | John Rowan, |
| J. C. S. Blackburn, | George M. Jessee, | J. P. Sacksteder, |
| Wm. F. Bond, | J. J. McAfee, | Samuel M. Sanders, |
| W. W. Bush, | Bryan S. McClure, | C. C. Scales, |
| B. E. Cassilly, | T. J. Megibben, | J. S. Taylor, |
| James S. Chrisman, | J. C. Moorman, | L. W. Trafton, |
| J. Guthrie Coke, | Wm. Mynhier, | Joseph T. Tucker, |
| Wm. G. Conrad, | Julian N. Phelps, | J. L. Waring, |
| E. A. Graves, | Lewis Potter, | J. M. White, |
| C. P. Gray, | W. L. Reeves, | F. A. Wilson—33. |

And so said leave was granted.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Robertson, from the Committee on Religion—

A bill to prohibit the sale of spirituous, vinous, or malt liquors in the precinct of Millersburg, Bourbon county.

By Mr. Gray, from a select committee—

A bill for the benefit of A. P. Childress.

By Mr. Scales, from the Committee on Railroads—

A bill for the benefit of Woodford county.

By Mr. Ayers, from the Committee on Religion—

A bill to regulate the sale of spirituous, vinous, and malt liquors in Lewisport justices' district, in Hancock county.

By Mr. Armstrong, from the Committee on Education—

A bill for the benefit of school district No. 3, in Hancock county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Waring, from the Committee on Railroads—

An act to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

By Mr. Armstrong, from the Committee on Education—

An act for the benefit of school district No. 2, in Menifee county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Corbett, from the committee appointed to wait on the Senate and ask leave to withdraw therefrom the announcement of the passage by this House of a bill, entitled

An act to incorporate the Good Templars' Widow and Orphans' Benevolent Association,

Laid said bill on the Clerk's table.

The House then took up the motion made on yesterday by Mr. Blakey to reconsider the vote by which the Senate was asked to return said bill.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Reeves then moved that the Clerk be directed to report said bill to the Senate as passed by this House.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Carpenter and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Wm. A. Hoskins, | Samuel M. Sanders, |
| Wm. A. Allen, | George M. Jessee, | James W. Snyder, |
| A. C. Armstrong, | J. S. Lawson, | William Tarlton, |
| G. W. Bailey, | J. J. McAfee, | J. S. Taylor, |
| John A. Bell, | Bryan S. McClure, | C. W. Threlkeld, |
| Church H. Blakey, | T. J. Megibben, | Harry I. Todd, |
| W. B. M. Brooks, | J. C. Moorman, | Joseph T. Tucker, |
| W. W. Bush, | Julian N. Phelps, | T. W. Varnon, |
| Thomas P. Cardwell, | Lewis Potter, | E. F. Waide, |
| George Carter, | W. L. Reeves, | J. M. White, |
| James S. Chrisman, | E. A. Robertson, | F. A. Wilson, |
| James B. Fitzpatrick, | John Rowan, | S. H. Woolfolk, |
| Joseph P. Foree, | J. P. Sacksteder, | J. M. Wright—40. |
| C. P. Gray, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Alpheus W. Bascom, | B. E. Cassilly, | Wm. J. McElroy, |
| W. N. Beckham, | J. Guthrie Coke, | Mordecai Williams, |
| J. C. S. Blackburn, | William G. Conrad, | J. L. Waring—11. |
| John S. Carpenter, | R. L. Cooper, | |

Mr. McElroy, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the Ohio quarterly court;

An act entitled "An act to amend the charter of the Central Savings Bank of Louisville," approved March 15, 1859;

An act to incorporate the Stamping Ground and Long Lick Turnpike Road Company, in Scott county;

An act to amend an act, entitled "An act to establish the People's Bank," approved February 15, 1856;

An act to incorporate the German Insurance Bank;

An act to incorporate the Market Bank, of Louisville;

An act for the benefit of J. C. Linn, late sheriff of Calloway county;

An act for the benefit of Allen Jones, late sheriff of Pulaski county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bourbon Female College;

An act to prevent the destruction of fish in Little Kentucky river and other streams in Carroll and Trimble counties;

An act to prohibit the sale of intoxicating liquors in the town of Claysville

An act to protect small birds in Bracken county;

An act to prohibit the sale of intoxicating liquors in Potsville district, in Washington county;

An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county;

An act to repeal an act, entitled "An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown precinct, No. 4, in Clark county;"

An act to transcribe certain surveyors' books of Breathitt county;

An act to establish the Highland Park Association;

An act to incorporate the town of Wingo, in Graves county;

An act to amend the charter of Lancaster Cemetery Company;

An act to amend the charter of Bryantsville, and further amend an act approved February 14, 1871;

An act to incorporate the town of Marshall, in Bath county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. McElroy inform the Senate thereof.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hoskins—

1. A bill to take the sense of the qualified voters of Boyle county as to whether or not a license will be granted to any person to sell or vend spirituous or malt liquors.

On motion of Mr. Lassing—

2. A bill to alter and amend the road laws of Boone county.

On motion of Mr. Williams—

3. A bill to prohibit the sale of spirituous, vinous, or malt liquors within one and a half miles of Pleasant Grove Church or schoolhouse, at forks of Stinsen creek, in Carter county.

On motion of Mr. Cook—

4. A bill for the benefit of James Hanks.

On motion of same—

5. A bill for the benefit of Charles Kirtly.

On motion of Mr. Nall—

6. A bill for the benefit of the West Point and Elizabethtown Turnpike Road Company.

On motion of Mr. Foote—

7. A bill to amend the charter of the city of Covington.

On motion of Mr. Fitzpatrick—

8. A bill for the benefit of Washington Ingram.

On motion of same—

9. A bill for the benefit of John Holcomb.

On motion of Mr. Speaker (McCreary)—

10. A bill to empower the county court of Madison to sell the railroad stock of said county, and reinvest the proceeds of the sale.

*Ordered*, That the Committee on Religion prepare and bring in the 1st and 3d; the Committee on County Courts the 2d; the Committee on Propositions and Grievances the 4th and 5th; the Committee on Internal Improvement the 6th; the Committee on Revised Statutes the 7th, 8th, and 9th; and the Committee on Railroads the 10th.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Cooper, from the Committee on Internal Improvement—

A bill to authorize the purchase of the footways of the Newport and Cincinnati bridge by certain justices' districts in Newport and vicinity.

By Mr. White, from the Committee on the Library—

A bill to require the State Librarian to furnish stationery to the Court of Appeals.

By Mr. Foote, from a select committee—

A bill regulating defenses in actions of trespass in Carroll and Trimble counties.

By Mr. Trafton, from the Committee on County Courts—

A bill to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Lincoln county.'"

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. A. Bell, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to incorporate the Maysville Building and Savings Association,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the motion made on yesterday by Mr. White to discharge the Committee on the Library from the further consideration of

A bill in relation to the purchase of record books and stationery for public use.

And the question being taken thereon, it was decided in the affirmative, and said committee was discharged.

According to order, the House resumed the further consideration of a bill, entitled

A bill to subject bank stock to taxation for county and municipal purposes.

Said bill being engrossed, was read a third time.

Mr. Griffith moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the negative.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the various county assessors of this Commonwealth to ascertain and list for taxation, at its market value, all stock in any of the incorporated banks of this State owned by the citizens and residents of their several counties, the value of the same to be placed in a separate column on the assessor's books as a portion of the taxable property of the owner.

§ 2. On the value of such stock, the county in which the owner resides shall, for county purposes, collect the same rate of tax as is levied and collected on other personal property in such county; but no tax on such stock shall be collected by the Commonwealth, except such as is now by law collected.

§ 3. That the cities and towns of this Commonwealth may also subject stock in banks to taxation for municipal purposes, at the same rate of tax, and in the same way and manner, as the other personal property of the owner is liable to be taxed; but for such purposes, said stock shall not be estimated at a higher value than its market value: *And provided*, That no owner of such stock shall be required to pay tax on it, except in the city or town of his residence.

§ 4. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Foote and Waide, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | E. A. Graves, | Lewis Potter, |
| Wm. A. Allen, | C. P. Gray, | Hiram S. Powell, |
| A. C. Armstrong, | George M. Jessee, | E. A. Robertson, |
| W. W. Ayers, | T. M. Johnson, | John Rowan, |
| G. W. Bailey, | T. J. Jones, | Samuel M. Sanders, |
| Alpheus W. Bascom, | L. W. Lassing, | James W. Snyder, |
| W. R. Bates, | J. S. Lawson, | J. S. Taylor, |
| W. N. Beckham, | G. W. Little, | C. W. Threlkeld, |
| John A. Bell, | Bryan S. McClure, | T. W. Varnon, |
| Wm. F. Bond, | William J. McElroy, | E. F. Waide, |
| Thomas P. Cardwell, | M. E. McKenzie, | J. L. Waring, |
| George Carter, | J. C. Moorman, | C. H. Webb, |
| James S. Chrisman, | Wm. Mynhier, | J. M. White, |
| Thomas H. Corbett, | J. L. Nall, | Mordecai Williams, |
| Joseph M. Davidson, | John W. Ogilvie, | F. A. Wilson, |
| James B. Fitzpatrick, | Julian N. Phelps, | S. H. Woolfolk—49. |
| Joseph P. Foree, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| J. C. S. Blackburn, | R. L. Cooper, | Wm. Tarlton, |
| Church H. Blakey, | C. D. Foote, | Harry I. Todd, |
| W. B. M Brooks, | E. Polk Johnson, | L. W. Trafton, |
| John S. Carpenter, | T. J. Megibben, | Joseph T. Tucker, |
| B. E. Cassilly, | W. L. Reeves, | J. M. Wright—17. |
| J. Guthrie Coke, | C. C. Scales, | |

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they adhered to the several amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts.

On motion of Mr. Blackburn, a Committee of Conference, consisting of Messrs. Blackburn, Waide, Waring, Davidson, and Griffith, were appointed, to act in conjunction with a committee appointed by the Senate, upon the subject of the disagreement of the two Houses in regard to said amendments; and that they inform the Senate of their appointment for that purpose, and request the appointment of a similar committee on their part.

On motion of Mr. Scales, the bill pending, entitled

A bill to incorporate the Metropolitan Turnpike, Tramway, and Bridge Company,

Was recommitted to the Committee on Railroads.

Mr. J. A. Bell, from the Committee on Printing, to whom was referred a bill from the Senate, entitled

An act to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25, 1865,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section one of an act, entitled "An act to increase the compensation to the Public Printer," approved February 25, 1865, be, and the same is hereby, continued in force from and after the 25th day of February, 1872.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill.

The yeas and nays being required thereon by Messrs. McElroy and S. M. Sanders, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Hiram S. Powell, |
| A. C. Armstrong, | James B. Fitzpatrick, | W. L. Reeves, |
| Alpheus W. Bascom, | C. D. Foote, | E. A. Robertson, |
| W. N. Beckham, | Joseph P. Foree, | John Rowan, |
| John A. Bell, | Wm. Cassius Goodloe, | C. C. Scales, |
| J. C. S. Blackburn, | E. A. Graves, | William Tarlton, |
| Wm. F. Bond, | Clinton Griffith, | C. W. Threlkeld, |
| W. B. M. Brooks, | George M. Jessee, | Harry I. Todd, |
| W. W. Bush, | E. Polk Johnson, | L. W. Tralton, |
| Thomas P. Cardwell, | L. W. Lassing, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. J. McAfee, | T. W. Varnon, |
| John S. Carpenter, | M. E. McKenzie, | E. F. Waide, |
| George Carter, | T. J. Megibben, | J. L. Waring, |
| B. E. Cassilly, | J. C. Moorman, | Mordecai Williams, |

| | | |
|---|---|---|
| J. Guthrie Coke, | J. L. Nall, | F. A. Wilson, |
| Wm. G. Conrad, | John W. Ogilvie, | S. H. Woolfolk, |
| R. L. Cooper, | Julian N. Phelps, | J. M. Wright—53. |
| Thomas H. Corbett, | Lewis Potter, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | C. P. Gray, | Mat. Nunan, |
| W. W. Ayers, | Wm. A. Hoskins, | Samuel M. Sanders, |
| G. W. Bailey, | T. M. Johnson, | William Sellers, |
| W. R. Bates, | T. J. Jones, | James W. Snyder, |
| S. C. Bell, | J. S. Lawson, | J. S. Taylor, |
| Church H. Blakey, | J. A. McCampbell, | C. H. Webb, |
| James S. Chrisman, | Bryan S. McClure, | J. M. White, |
| J. E. Cosson, | William J. McElroy, | J. N. Woods—26. |
| James Garnett, | Wm. Mynhier, | |

The Speaker reserved the decision of the question as to whether said bill was passed by the vote aforesaid.

[*See further proceedings on this bill on page* 861.]

Mr. Waide moved to reconsider the vote by which this House on a former day dispensed with the further consideration of, and thereby rejected,

A bill declaring the county seat of Lee county permanently located at the town of Proctor.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Said bill was then placed in the orders of the day.

And then the House adjourned.

## THURSDAY, MARCH 14, 1872.

Mr. Tarlton presented the petition of sundry citizens of Westport, in Oldham county, praying the passage of an act to prohibit the sale of ardent spirits of any kind in said town, or within two miles of same.

Which was received, the reading dispensed with, and referred to the Committee on Religion.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Carter, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher.

An act to repeal an act, entitled "An act to create a board of commissioners of the sinking fund of Pendleton county, and the amendments thereto."

That they had concurred in the adoption of a resolution, which originated in the House of Representatives, of the following title, viz:

Resolution directing Auditor to draw his warrant on Treasury for sundry sums of money.

That they had concurred in the amendments proposed by the House of Representatives, to bills which originated in the Senate, of the following titles, viz:

An act to amend the 28th section of chapter 103, of the Revised Statutes, title "Turnpike and Plank Roads."

An act to incorporate the Greensburg Deposit Bank.

That they had disagreed to a bill, which originated in the House of Representatives, of the following title, viz:

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Falls City Association for the Improvement of the Breeds of Stock.

An act to regulate the time of holding circuit courts in the fifteenth judicial district.

An act changing the time of holding the quarterly courts in the county of Knox.

That they had adopted a resolution, entitled

Resolution in relation to building a separate penitentiary for negroes in this Commonwealth.

And that they had passed bills of the following titles, viz:

1. An act to change the time of paying the revenue by sheriffs into the Treasury.

2. An act to establish and incorporate the town of Norton, in Hopkins county.

3. An act to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Ways and Means, and the 2d and 3d to the Committee on Corporate Institutions.

A message was received from the Senate, announcing that they had appointed a committee, consisting of Messrs. Talbott, Chelf, Whitaker, Hale, and Dorman, to act in conjunction with the Committee appointed by this House on the subject of the disagreement of the two Houses in regard to the amendments proposed by the Senate, to a bill which originated in this House, entitled

An act to lay off the State into ten Congressional Districts.

Mr. Graves moved to suspend the rule and take up for immediate consideration the following resolution, viz:

*Resolved*, That the regular order of business be suspended until the call of the counties is finished, and that nothing but leaves and resolutions shall be in order during the said call.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph P. Foree, | Julian N. Phelps, |
| Wm. A. Allen, | Wm. Cassius Goodloe, | Lewis Potter, |
| W. W. Ayers, | E. A. Graves, | E. A. Robertson, |

G. W. Bailey,
Alpheus W. Bascom,
W. R. Bates,
W. N. Beckham,
John A. Bell,
S. C. Bell,
Church H. Blakey,
W. B. M. Brooks,
Robert M. Carlisle,
John S. Carpenter,
George Carter,
B. E. Cassilly,
James S. Chrisman,
R. D. Cook,
Thomas H. Corbett,
Wm. A. Hoskins,
E. Polk Johnson,
T. M. Johnson,
T. J. Jones,
L. W. Lassing,
J. S. Lawson,
G. W. Little,
J. J. McAfee,
J. A. McCampbell,
Bryan S. McClure,
William J. McElroy,
M. E. McKenzie,
J. C. Moorman,
J. L. Nall,
John W. Ogilvie,
John Rowan,
Samuel M. Sanders,
C. C. Scales,
James W. Snyder,
J. S. Taylor,
George M. Thomas,
C. W. Threlkeld,
Harry I. Todd,
Joseph T. Tucker,
E. F. Waide,
C. H. Webb,
J. M. White,
Mordecai Williams,
F. A. Wilson—53.

In the negative, R. L. Cooper—1.

Said resolution was then taken up, twice read, and adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Graves—

1. A bill to increase the jurisdiction of magistrates in Marion county.

On motion of same—

2. A bill to so amend the law as to require a majority of the justices of the peace to concur with the county judge in granting license to any one to sell liquor, except in cities and towns where the law otherwise provides.

On motion of Mr. Beckham—

3. A bill for the protection of the press of Kentucky.

On motion of Mr. Bailey—

4. A bill for a banking corporation in Slaughtersville, in Webster county.

On motion of Mr. Little—

5. A bill to regulate and reduce to a peace footing the salaries of the various officers of this Commonwealth.

On motion of Mr. Goodloe—

6. A bill to charter the Home Building and Savings Association of Lexington.

On motion of Mr. Jones—

7. A bill to provide for the election of a school commissioner, and to have good school-houses erected in Graves county.

On motion of Mr. Sellers—

8. A bill to repeal an act for the benefit of the Eastern and Western Lunatic Asylum, approved February 18, 1864.

On motion of Mr. Cosson—

9. A bill to amend section 834 of the Code of Practice.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st and 2d; the Committee on Banks the 4th and 6th; the Committee on Retrenchment and Reform the 5th; the Committee on Education the 7th; the Committee on Charitable Institutions the 8th; the Committee on Codes of Practice the 9th; and a select committee, consisting of Messrs. Griffith, Blackburn, and Beckham, the 3d.

Mr. McAfee offered the following resolution, viz:

*Resolved*, That the Committee on Agriculture and Manufactures be instructed to bring in a bill for the protection of sheep against the ravages of dogs in this Commonwealth.

Which was adopted.

Mr. Graves laid on the table the following preamble and joint resolution, viz:

WHEREAS, This General Assembly has been in session more than one hundred days; and whereas, the Constitution of the State of Kentucky substantially declares, as the deliberate opinion of its framers, who were statesmen of large legislative experience, that a session of sixty days was time amply sufficient to transact and perform all legislative business, whether political or otherwise, pertaining to the welfare of the people thereof, and that this legislative session spoken of in the Constitution should be biennially, and not annually, except as provided therein; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky*, When it adjourns on Tuesday, the 26th day of March, 1872, it will adjourn *sine die*.

The House then took up an unfinished order of yesterday, viz: the further consideration of a bill from the Senate, entitled

An act to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25, 1865.

Mr. McAfee moved to suspend that rule of the House which prohibits a member from voting on any proposition who is not present in the bar of the House when the question is stated by the Chair, and to allow those now present to vote who did not vote on yesterday on the question of the passage of the bill.

And the question being taken on the motion of Mr. McAfee, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | John W. Ogilvie, |
| Wm. A. Allen, | Joseph M. Davidson, | Julian N. Phelps, |

| | | |
|---|---|---|
| A. C. Armstrong, | James B. Fitzpatrick, | Lewis Potter, |
| W. W. Ayers, | C. D. Foote, | Hiram S. Powell, |
| G. W. Bailey, | Joseph P. Foree, | W. L. Reeves, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | E. A. Robertson, |
| W. R. Bates, | E. A. Graves, | John Rowan, |
| W. N. Beckham, | C. P. Gray, | C. C. Scales, |
| John A. Bell, | Clinton Griffith, | James W. Snyder, |
| S. C. Bell, | Wm. A. Hoskins, | Wm. Tarlton, |
| J. C. S. Blackburn, | George M. Jessee, | J. S. Taylor, |
| Church H. Blakey, | E. Polk Johnson, | George M. Thomas, |
| Wm. F. Bond, | T. M. Johnson, | C. W. Threlkeld, |
| W. B. M. Brooks, | T. J. Jones, | Harry I. Todd, |
| Thomas P. Cardwell, | L. W. Lassing, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. S. Lawson, | T. W. Varnon, |
| John S. Carpenter, | G. W. Little, | E. F. Waide, |
| George Carter, | J. J. McAfee, | J. L. Waring, |
| B. E. Cassilly, | J. A. McCampbell, | C. H. Webb, |
| J. Guthrie Coke, | M. E. McKenzie, | J. M. White, |
| William G. Conrad, | T. J. Megibben, | Mordecai Williams, |
| R. D. Cook, | J. C. Moorman, | F. A. Wilson, |
| R. L. Cooper, | J. L. Nall, | S. H. Woolfolk—71. |
| Thomas H. Corbett, | Mat. Nunan, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| James S. Chrisman, | Bryan S. McClure, | Samuel M. Sanders—5. |
| James Garnett, | Wm. J. McElroy, | |

Thereupon several members, who were absent and not voting yesterday, were permitted to vote on the question of the passage of the bill, and their names inserted in the roll call of yesterday.

[*For vote—see page* 856 *of this Journal.*]

Having thereby received a constitutional majority, the Speaker declared that said bill was passed.

*Resolved*, That the title of said bill be as aforesaid.

According to order, the House took up for further consideration a bill from the Senate, entitled

An act to provide for the location and erection of the Third Lunatic Asylum,

With the amendments proposed thereto by the committee.

The first amendment proposed by the committee is as follows, viz:

Strike out in 2d line, in section 1, the words "two hundred thousand," and insert instead "two hundred and fifty thousand." Strike out in the 6th line the words "Third Lunatic Asylum," and insert "Central Lunatic Asylum."

Mr. Garnett offered the following amendment to the 1st branch of the 1st amendment proposed by the committee, viz:

In the 2d line thereof strike out the words "two hundred and fifty," and insert in lieu thereof the words "one hundred."

And the question being taken on the adoption of the amendment proposed by Mr. Garnett, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garnett and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| S. C. Bell, | C. P. Gray, | W. L. Reeves, |
| James S. Chrisman, | Bryan S. McClure, | Samuel M. Sanders, |
| James Garnett, | J. C. Moorman, | J. S. Taylor—9. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M Davidson, | Lewis Potter, |
| Wm. A. Allen, | C. D. Foote, | Hiram S. Powell, |
| A. C. Armstrong, | Joseph P. Foree, | E. A. Robertson, |
| W. W. Ayers, | Wm. Cassius Goodloe, | John Rowan, |
| G. W. Bailey, | E. A. Graves, | C. C. Scales, |
| Alpheus W. Bascom, | Clinton Griffith, | Wm. Sellers, |
| W. R. Bates, | Wm. A. Hoskins, | James W. Snyder, |
| W. N. Beckham, | George M. Jessee, | William Tarlton, |
| J. A. Bell, | E. Polk Johnson, | George M. Thomas, |
| J. C. S. Blackburn, | T. M. Johnson, | C. W. Threlkeld, |
| Church H. Blakey, | T. J. Jones, | Harry I. Todd, |
| Wm. F. Bond, | L. W. Lassing, | L. W. Trafton, |
| W. B. M. Brooks, | J. S. Lawson, | Joseph T. Tucker, |
| Thomas P. Cardwell, | G. W. Little, | T. W. Varnon, |
| Robert M. Carlisle, | J. J. McAfee, | E. F. Waide, |
| John S. Carpenter, | Wm. J. McElroy, | J. L. Waring, |
| George Carter, | M. E. McKenzie, | J. M. White, |
| B. E. Cassilly, | T. J. Megibben, | Mordecai Williams, |
| J. Guthrie Coke, | J. L. Nall, | F. A. Wilson, |
| R. L. Cooper, | Mat. Nunan, | J. N. Woods, |
| Thomas H. Corbett, | John W. Ogilvie, | S. H. Woolfolk, |
| J. E. Cosson, | Julian N. Phelps, | J. M. Wright—66. |

The question was then taken on the adoption of the first branch of the amendment proposed by the committee, viz: to strike out "two hundred thousand," and insert "two hundred and fifty thousand," and it was decided in the negative.

And so said first branch of said amendment was rejected.

Mr. Waide then moved to reconsider the vote rejecting the first branch of the first amendment proposed by the committee; but after a time withdrew the same.

On motion of Mr. Corbett, the further consideration of the bill and amendments was postponed to, and made the special order of the day for, to-morrow, at 10 o'clock, A. M.

The hour of eleven o'clock, A. M., having arrived, according to order, the House resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr.

Waide being called to, the Chair; and after a time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Waide, the chairman thereof, reported that the committee had had under further consideration a bill, entitled

A bill to revise, amend, and reduce into one the laws relating to the common schools of Kentucky,

But not having time to complete the same on this day, had risen, and directed him to ask leave to sit to-morrow at 12 o'clock, M.

And the question being taken thereon, it was decided in the negative.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to reduce into one the several acts regulating the Butler Seminary."

An act for the benefit of E. G. Davidson.

An act to amend an act, entitled "An act to cause good schoolhouses to be erected in the Eighth and Ninth Congressional Districts," approved 10th March, 1871.

An act for the benefit of James Vinson and others, in Hardin county.

An act for the benefit of C. G. Beard, of Clinton county.

An act for the benefit of A. H. Calvin, of Fayette county.

An act for the benefit of Green V. Holland.

An act to incorporate Proctor Male and Female Seminary, in Lee county.

An act reducing the salary of the toll-gate keepers on the Wilderness Turnpike Road.

An act to amend the charter of the town of Blandville, in Ballard county.

An act to change the time of holding the Barren circuit court.

An act to amend the charter of the town of Hustonville, and amendments thereto.

An act for the benefit of Fleming County Seminary.

An act appointing trustees for Williamstown Cemetery, in Grant county.

An act to amend the charter of the Kentucky Association for the Improvement of the Breed of Stock.

An act for the benefit of B. L. Carr.

An act to amend an act for the protection of sheep in this Commonwealth, approved January 31, 1865.

An act to amend the charter of the St. Bernard Coal Company.

An act to prevent the destruction of fish in the Kentucky river and its tributaries.

An act for the benefit of James M. Eifort.

An act for the benefit of school district No. 38, in Trigg county.

An act exempting the property now occupied by N. F. Smith, in Harrison county, for school purposes, from taxation.

An act for the benefit of James B. Wiley, of McCracken county.

An act for the benefit of John G. Johns, of Floyd county.

A message was received from the Senate, announcing that they had adopted a resolution, entitled

Resolution in relation to the adjournment of the present General Assembly.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Tucker, from the Committee on Circuit Courts—

An act to authorize the judge of the Warren circuit court to sign the records of said court made on the 5th day of March, 1870.

By same—

An act to change the terms and regulate the business of the Graves circuit court.

By same—

An act authorizing an additional examiner in the town of Ashland, in Boyd county.

By same—

An act regulating the terms of the McCracken circuit court, and transfer of cases therein to the McCracken court of common pleas.

By same—

An act to repeal an act concerning public books, and providing for the supply of destitute counties.

By same—

An act to regulate the terms and business of the McCracken court of common pleas.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—

A bill to incorporate the Citizens' Gas-light Company, of Louisville.

By Mr. Coke, from the Committee on Railroads—

A bill to amend an act to incorporate the Broadway and Dunkirk Railway Company, approved 23d ————, 1871.

By Mr. Tucker, from the Committee on Circuit Courts—

A bill to legalize certain orders of the Clinton county court.

By Mr. Threlkeld, from the Committee on Printing—

A bill repealing parts of an act relating to the advertisement of land sales in Owen county.

By Mr. Tucker, from the Committee on Circuit Courts—

A bill to incorporate the Campbell Gas-light Company.

By same—

A bill changing the time of holding the February term of the Franklin circuit court.

By same—

A bill to amend the charter and laws of the town of Belleview, in Campbell county.

By same—

A bill to authorize the issual of subpœnas for witnesses in vacation to appear before the grand jury.

By same—

A bill to amend the charter of Glasgow Junction.

By same—

A bill to repeal an act, entitled "An act to amend the charter of Cave City, in Barren county," approved March 8, 1871.

By same—

A bill to amend the charter of the town of Mt. Sterling.

By same—

A bill to charter the Winchester Odd Fellows' and Masonic Temple Company.

By same—

A bill to amend the charter of the Clark and Montgomery Turnpike Road Company.

By same—

A bill for the benefit of Winchester Lodge, No. 20, A. Y. F. and A. Masons.

By same—

A bill for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

By same—

A bill to amend the act incorporating the Grassy Lick Turnpike Road Company.

By same—

A bill for the benefit of Maggie G. Roberts, of Montgomery county.

By same—

A bill concerning official sales in Clark, Montgomery, Hickman, Bracken, Fulton, and Shelby counties.

By same—

A bill for the benefit of Clark county.

By same—

A bill to exempt A. P. Boyes and others from working on any dirt road in Harrison county.

By same—

A bill to provide for the collection of the railroad tax in Montgomery county.

By Mr. E. P. Johnson, from the same committee—

A bill to require the clerk of the Lincoln circuit court to make cross-index, and pay him for the same.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to incorporate the Citizens' Gas-light Company, of Louisville.

Mr. Todd, from the Committee on Public Offices, to whom was referred a bill from the Senate, entitled

An act to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices, in the city of Frankfort,

Reported the same without amendment.

On motion of Mr. Todd, the further consideration of said bill was postponed to, and made the special order of the day for, Tuesday, the 19th inst., at 10½ o'clock, A. M.

Mr. Waide, from the Committee on Federal Relations, to whom was referred joint resolutions from the Senate, entitled

Resolutions in regard to the navigation of the Ohio and other Western rivers,

Reported the same without amendment.

Said resolutions read as follows, viz:

WHEREAS, There has been introduced into the Congress of the United States a bill to extend the jurisdiction of the Light-house Board, which is in language as follows:

"§ 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the jurisdiction of the Light-house Board, created by the act, entitled 'An act making appropriations for light houses, light-boats, buoys, &c.,' approved August thirty-one, eighteen hundred and fifty-two, is hereby extended so as to include the Mississippi river, from St. Paul to its mouth, the Missouri river, from Sioux City to its mouth, and the Ohio river, from Pittsburg to its mouth; and the said Board is hereby required to arrange these rivers into one or more Light-house Districts, to be in all respects on the same footing as the existing Light-house Districts; and to take the proper means to supply these rivers with such lights, buoys, channel marks, and other aids to navigation, as may be necessary for the security of commerce.

"§ 2. *And be it further enacted*, That the sum of one hundred thousand dollars is hereby appropriated to carry out the provisions of this act."

Therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That, appreciating the enormous value of the commerce of the Ohio and other Western rivers, being in amount at least three times that of our entire foreign trade, we deem it the duty of Congress to afford it all the protection and safeguards within its power. That a thorough system of lights, buoys, and channel marks, as proposed in the above recited bill, could not fail to be of great service, and be the means of saving much property and many valuable lives.

2. *Resolved*, That we request our Senators and Representatives in Congress to aid by their votes and all honorable means, in the passage of the above bill.

3. *Resolved*, That the Governor be, and he is hereby, requested to transmit a copy of the foregoing to each of our Senators and Representatives in Congress.

Said resolutions were unanimously concurred in.

A message was received from the Senate, asking leave to withdraw from this House the announcement of their disagreement to a bill, which originated in this House, of the following title, viz:

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

Which was granted, and the bill delivered to the Senate messenger.

Mr. Tucker, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to amend an act approved March 2, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses,'"

With the expression of opinion that said bill ought not to pass.

Which bill was read the first time.

The question was then taken on ordering said bill to be read a second time, and it was decided in the negative.

And so said bill was rejected.

Mr. Tucker, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act providing for a settlement with H. I. Todd, late Lessee and Keeper of the Penitentiary,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

[*For bill—see Session Acts present session.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Julian N. Phelps, |
| A. C. Armstrong, | Joseph M. Davidson, | Lewis Potter, |
| W. W. Ayers, | James B. Fitzpatrick, | Hiram S. Powell, |
| Alpheus W. Bascom, | C. D. Foote, | E. A. Robertson, |
| W. R. Bates, | Joseph P. Foree, | C. C. Scales, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Wm. Sellers, |
| John A. Bell, | Clinton Griffith, | Wm. Tarlton, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | George M. Thomas, |

| | | |
|---|---|---|
| Church H. Blakey, | George M. Jessee, | L. W. Trafton, |
| W. B. M Brooks, | E. Polk Johnson, | Joseph T. Tucker, |
| W. W. Bush, | T. M. Johnson, | T. W. Varnon, |
| Thomas P. Cardwell, | L. W. Lassing, | E. F. Waide, |
| Robert M. Carlisle, | J. S. Lawson, | J. L. Waring, |
| John S. Carpenter, | J. J. McAfee, | C. H. Webb, |
| George Carter, | J. A. McCampbell, | Mordecai Williams, |
| B. E. Cassilly, | T. J. Megibben, | F. A. Wilson, |
| R. D. Cook, | Wm. Mynhier, | J. N. Woods, |
| R. L. Cooper, | J. L. Nall, | S. H. Woolfolk, |
| Thomas H. Corbett, | Mat. Nunan, | J. M. Wright—57. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | C. P. Gray, | William J. McElroy, |
| G. W. Bailey, | T. J. Jones, | John Rowan, |
| S. C. Bell, | G. W. Little, | J. S. Taylor, |
| James Garnett, | Bryan S. McClure, | J. M. White—13. |
| E. A. Graves, | | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the 28th section of chapter 103, of the Revised Statutes, title "Turnpike and Plank Roads;"

An act to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky;

An act to incorporate the Shippers' Tobacco Bank;

An act to incorporate the Greensburg Deposit Bank;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Louisville Stock and Bond Board;

An act to incorporate the Citizens' Gas-light Company, of Louisville;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. Tucker, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act to establish a court of common pleas in the 11th judicial district,

Reported the same without amendment.

Pending consideration thereof, the House adjourned.

## FRIDAY, MARCH 15, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the several acts incorporating the town of Brookville, in Bracken county.

An act to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county.

An act to authorize T. D. Marcum and M. H. Johns to erect a boom across Wolf creek, in Martin county.

An act to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream.

An act to prohibit the sale of spirituous, vinous, or malt liquors within the Crittenden magisterial district, in Grant county.

An act to amend an act to incorporate the town of Smith's Grove.

That they had receded from their proposed amendment to a bill which originated in the House of Representatives, entitled

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties.

That they had disagreed to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Catlettsburg Coal, Iron Mining, and Manufacturing Company.

An act to amend and reduce into one the several acts concerning the town of Glasgow.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to create the office of county treasurer for Campbell county.

An act to amend an act, entitled "An act to charter the Hustonville and McKinney's Station Turnpike Road Company."

An act to amend the charter of the Hanging Fork and Green River Turnpike Road Company.

An act to amend the charter of the Stanford and Milledgeville Turnpike Road Company.

An act to incorporate the town of Glenville, in Adair county.

An act to amend the charter of the Clarksville and Princeton Railroad Company.

An act to amend the charter of the Glasgow Railroad Company.

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company.

An act for the benefit of the sureties of John W. Combs, late sheriff of Woodford county.

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond."

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to amend section 2d of an act, entitled "An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds.

2. An act to amend section 28 of the Civil Code of Practice.

3. An act to incorporate the Citizens' Bridge Company.

4. An act to define and locate the county line between the counties of Elliott and Rowan.

5. An act to amend an act to incorporate the town of Martinsburg.

6. An act for the benefit of William S. Allen, sheriff of Breathitt county.

7. An act for the protection of deer in Breathitt, Morgan, Elliott, and Wolfe counties.

8. An act to amend chapter 28 of Revised Statutes, title "Crimes and Punishments."

9. An act to amend an act, entitled "An act to charter the Mount Sterling and Spencer Creek Turnpike Road Company."

10. An act to amend the charter of the Louisville City Railway Company.

11. An act for the benefit of district No. 6, in Taylor county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Codes of Practice; the 3d and 5th to the Committee on Corporate Institutions; the 4th to the Committee on County Courts; the 6th to the Committee on Ways and Means; the 7th to the Committee on Agriculture and Manufactures;

the 8th to the Committee on the Revised Statutes; the 9th to the Committee on Internal Improvement; the 10th to the Committee on Railroads; and the 11th to the Committee on Education.

The following petitions were presented, viz:

By Mr. Foote—

1. The petition of the vestry of Saint Paul's Protestant Episcopal Church, Newport, praying for the repeal of so much of the amended charter, approved February 1, 1871, as authorizes the issuing of bonds for building purposes.

By Mr. Varnon—

2. The petition of sundry citizens of Lincoln county, praying that a law may be passed to submit to the voters of said county the question of a prohibitory liquor law therein.

Which were received, the 1st read, the reading of the 2d dispensed with, and referred—the 1st to the Committee on County Courts, and the 2d to the Committee on Religion.

Mr. Reeves, from the Committee on Enrollments, reported that they had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25, 1865;

An act to incorporate the Maysville Building and Savings Association;

An act for the benefit of school district No. 2, in Menifee county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Commercial Bank of Lebanon;

An act to prohibit the sale of spirituous liquors in Garrard county;

An act in relation to the sale of spirituous and other liquors in the county of Spencer;

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county;

An act for the benefit of the sureties of James B. McWhorter, late sheriff of Taylor county;

An act to establish the Southern Park Association;

An act to incorporate the Church House for Females and Infirmary for the Sick;

An act to incorporate the Newbergh Railway and Real Estate Company;

An act to amend the charter of the town of Upton;

An act to authorize the trustees of the Hancock Seminary to dispose of a lot of ground in Hancock county;

An act prohibiting the sale of ardent, malt, vinous, or spirituous liquors in Webster county;

An act to amend an act, approved December 20, 1871, re-establishing the common pleas court in Hickman county, and to repeal an amendment thereto, approved February 6, 1872;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

Mr. Graves moved to suspend the rules to allow him to offer a resolution.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Foote and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Lewis Potter, |
| Wm. A. Allen, | Joseph P. Foree, | Hiram S. Powell, |
| W. W. Ayers, | James Garnett, | W. L. Reeves, |
| G. W. Bailey, | E. A. Graves, | E. A. Robertson, |
| W. R. Bates, | C. P. Gray, | John Rowan, |
| W. N. Beckham, | Wm. A. Hoskins, | Samuel M. Sanders, |
| John A. Bell, | George M. Jessee, | James W. Snyder, |
| S. C. Bell, | E. Polk Johnson, | William Tarlton, |
| J. C. S. Blackburn, | T. M. Johnson, | J. S. Taylor, |
| Church H. Blakey, | T. J. Jones, | George M. Thomas, |
| W. B. M. Brooks, | J. S. Lawson, | C. W. Threlkeld, |
| Robert M. Carlisle, | Bryan S. McClure, | Harry I. Todd, |
| John S. Carpenter, | William J. McElroy, | E. F. Waide, |
| George Carter, | M. E. McKenzie, | J. L. Waring, |
| B. E. Cassilly, | J. C. Moorman, | C. H. Webb, |
| James S. Chrisman, | Wm. Mynhier, | J. M. White, |
| R. D. Cook, | J. L. Nall, | Mordecai Williams, |
| Thomas H. Corbett, | Mat. Nunan, | F. A. Wilson, |
| J. E. Cosson, | John W. Ogilvie, | S. H. Woolfolk, |
| Joseph M. Davidson, | Julian N. Phelps, | J. M. Wright—61. |
| John W. Dyer, | | |

Those who voted in the negative, were—

R. L. Cooper, William Sellers—2.

And thereupon Mr. Graves offered the following resolution, viz:

*Resolved*, That the regular order of business be suspended to take up and consider the Senate resolution fixing the time of the adjourn-

ment of this General Assembly, and that nothing shall be in order until it is considered and determined.

Mr. Cooper offered an amendment to said resolution, which was rejected.

The question was then taken on the adoption of the resolution offered by Mr. Graves, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Reeves and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | John W. Dyer, | Julian N. Phelps, |
| W. W. Ayers, | James Garnett, | Lewis Potter, |
| G. W. Bailey, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| Alpheus W. Bascom, | E. A. Graves, | W. L. Reeves, |
| W. N. Beckham, | C. P. Gray, | John Rowan, |
| John A. Bell, | George M. Jessee, | Samuel M. Sanders, |
| S. C. Bell, | T. M. Johnson, | James W. Snyder, |
| J. C. S. Blackburn, | T. J. Jones, | Wm. Tarlton, |
| Church H. Blakey, | J. A. McCampbell, | J. S. Taylor, |
| Wm. F. Bond, | Bryan S. McClure, | George M. Thomas, |
| W. B. M. Brooks, | Wm. J. McElroy, | C W. Threlkeld, |
| W. W. Bush, | M. E. McKenzie, | T. W. Varnon, |
| Thomas P. Cardwell, | T. J. Megibben, | E. F. Waide, |
| Robert M. Carlisle, | J. C. Moorman, | J. L. Waring, |
| John S. Carpenter, | Wm. Mynhier, | C. H. Webb, |
| George Carter, | J. L. Nall, | J. M. White, |
| B. E. Cassilly, | Mat. Nunan, | F. A. Wilson, |
| James S. Chrisman, | John W. Ogilvie, | J. N. Woods—55. |
| Thomas H. Corbett, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | C. C. Scales, |
| A. C. Armstrong, | C. D. Foote, | Wm. Sellers, |
| W. R. Bates, | Wm. A. Hoskins, | Harry I. Todd, |
| R. D. Cook, | E. Polk Johnson, | Joseph T. Tucker, |
| R. L. Cooper, | L. W. Lassing, | Mordecai Williams, |
| Joseph M. Davidson, | J. S. Lawson, | J. M. Wright—20. |
| W. H. Evans, | E. A. Robertson, | |

The resolution of the Senate referred to was then taken up, and read as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this General Assembly adjourns on the 26th day of March, 1872, that it adjourn to meet again on the 7th day of January, 1873, at 12 o'clock, M.

Mr. Garnett offered the following amendment as a substitute for the Senate resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this General Assembly adjourns on the 26th day of March, 1872, it will adjourn *sine die*.

The question was then taken on the adoption of the amendment proposed by Mr. Garnett, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Waide and Garnett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | J. E. Cosson, | Julian N. Phelps, |
| W. W. Ayers, | James Garnett, | Lewis Potter, |
| G. W. Bailey, | Wm. Cassius Goodloe, | W. L. Reeves, |
| Alpheus W. Bascom, | E A. Graves, | John Rowan, |
| W. N. Beckham, | C. P. Gray, | Samuel M. Sanders, |
| J. A. Bell, | George M. Jessee, | James W. Snyder, |
| S. C. Bell, | T. M. Johnson, | William Tarlton, |
| J. C. S. Blackburn, | T. J. Jones, | J. S. Taylor, |
| Church H. Blakey, | J. A. McCampbell, | C. W. Threlkeld, |
| Wm. F. Bond, | Bryan S. McClure, | Joseph T. Tucker, |
| W. B. M. Brooks, | Wm. J. McElroy, | E. F. Waide, |
| W. W. Bush, | M. E. McKenzie, | J. L. Waring, |
| Thomas P. Cardwell, | J. C. Moorman, | C. H. Webb, |
| Robert M. Carlisle, | J. L. Nall, | J. M. White, |
| John S. Carpenter, | Mat. Nunan, | F. A. Wilson, |
| B. E. Cassilly, | John W. Ogilvie, | J. N. Woods—49. |
| James S. Chrisman, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James B. Fitzpatrick, | Hiram S. Powell, |
| A. C. Armstrong, | C. D. Foote, | E. A. Robertson, |
| W. R. Bates, | Joseph P. Foree, | C. C. Scales, |
| George Carter, | Wm. A. Hoskins, | Wm. Sellers, |
| R. D. Cook, | E. Polk Johnson, | George M. Thomas, |
| R. L. Cooper, | L. W. Lassing, | Harry I. Todd, |
| Thomas H. Corbett, | J. S. Lawson, | T. W. Varnon, |
| Joseph M. Davidson, | G. W. Little, | Mordecai Williams, |
| John W. Dyer, | T. J. Megibben, | J. M. Wright—29. |
| W. H. Evans, | Wm. Mynhier, | |

The question was then taken on the adoption of the Senate resolution as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Reeves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James Garnett, | W. L. Reeves, |
| W. W. Ayers, | Wm. Cassius Goodloe, | John Rowan, |
| G. W. Bailey, | E. A. Graves, | Samuel M. Sanders, |
| Alpheus W. Bascom, | C. P. Gray, | C. C. Scales, |
| W. N. Beckham, | Clinton Griffith, | William Sellers, |

| | | |
|---|---|---|
| John A. Bell, | George M. Jessee, | James W. Snyder, |
| S. C. Bell, | Thos. M. Johnson, | Wm. Tarlton, |
| Church H. Blakey, | T. J. Jones, | J. S. Taylor, |
| Wm. F. Bond, | G. W. Little, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. A. McCampbell, | Joseph T. Tucker, |
| W. W. Bush, | Bryan S. McClure, | E. F. Waide, |
| Thomas P. Cardwell, | Wm. J. McElroy, | J. L. Waring, |
| Robert M. Carlisle, | J. C. Moorman, | C. H. Webb, |
| John S. Carpenter, | Mat. Nunan, | J. M. White, |
| B. E. Cassilly, | John W. Ogilvie, | F. A. Wilson, |
| James S. Chrisman, | Julian N. Phelps, | J. N. Woods, |
| J. E. Cosson, | Lewis Potter, | S. H. Woolfolk—51. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | T. J. Megibben, |
| A. C. Armstrong, | W. H. Evans, | Wm. Mynhier, |
| W. R. Bates, | James B. Fitzpatrick, | Hiram S. Powell, |
| J. C. S. Blackburn, | C. D. Foote, | E. A. Robertson, |
| George Carter, | Joseph P. Foree, | G. M. Thomas, |
| R. D. Cook, | Wm. A. Hoskins, | Harry I. Todd, |
| R. L. Cooper, | E. Polk Johnson, | T. W. Varnon, |
| Thomas H. Corbett, | L. W. Lassing | Mordecai Williams, |
| Joseph M. Davidson, | J. S. Lawson, | J. M. Wright—27. |

Mr. Scales then moved to reconsider the vote by which said resolution, as amended, was adopted.

Mr. Graves moved to suspend the rules to take up the motion of Mr. Scales to reconsider said vote.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| W. W. Ayers, | James Garnett, | Samuel M. Sanders, |
| G. W. Bailey, | Wm. Cassius Goodloe, | William Tarlton, |
| Alpheus W. Bascom, | E. A. Graves, | J. S. Taylor, |
| W. N. Beckham, | Thos. M. Johnson, | C. W. Threlkeld, |
| John A. Bell, | Bryan S. McClure, | Joseph T. Tucker, |
| S. C. Bell, | Wm. J. McElroy, | E. F. Waide, |
| Wm. F. Bond, | M. E. McKenzie, | J. L. Waring, |
| W. B. M. Brooks, | J. C. Moorman, | C. H. Webb, |
| Robert M. Carlisle, | W. L. Reeves, | J. N. Woods, |
| John S. Carpenter, | John Rowan, | S. H. Woolfolk—31. |
| James S. Chrisman, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | Wm. Mynhier, |
| Wm. A. Allen, | W. H. Evans, | John W. Ogilvie, |
| A. C. Armstrong, | James B. Fitzpatrick, | Julian N. Phelps, |

| | | |
|---|---|---|
| W. R. Bates, | C. D. Foote, | Lewis Potter, |
| J. C. S. Blackburn, | C. P. Gray, | Hiram S. Powell, |
| Church H. Blakey, | Clinton Griffith, | E. A. Robertson, |
| W. W. Bush, | Wm. A. Hoskins, | C. C. Scales, |
| Thomas P. Cardwell, | George M. Jessee, | Wm. Sellers, |
| George Carter, | E. Polk Johnson, | George M. Thomas, |
| B. E. Cassilly, | T. J. Jones, | Harry I Todd, |
| R. D. Cook, | L. W. Lassing, | T. W. Varnon, |
| R. L. Cooper, | J. S. Lawson, | J. M. White, |
| Thomas H. Corbett, | G. W. Little, | Mordecai Williams, |
| J. E. Cosson, | J. A. McCampbell, | F. A. Wilson, |
| Joseph M. Davidson, | T. J. Megibben, | J. M. Wright—45. |

Said resolution was then placed in the orders of the day.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to organize and establish a system of public schools in the city of Hopkinsville for white children in said city.

An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro for white children in said city," approved March 13, 1871.

An act to amend the charter of the Citizens' Passenger Railroad, of Covington.

An act to amend an act, entitled "An act for the benefit of the sureties of W. B. Simmons, late sheriff of Meade county."

An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad," approved January 22d, 1872.

An act to amend the charter of the town of Cloverport.

An act to amend the charter of the town of Ashland.

An act to amend the charter of Dixon, in Webster county.

An act to extend and enlarge the corporate limits of the town of Albany, in Clinton county.

An act to amend the charter of Owensboro.

An act to amend an act, entitled "An act to incorporate the town of Morses, in Graves county," approved March 21, 1871.

An act to enlarge the boundaries of the town of Morganfield, in Union county.

An act to change the corporate limits of the town of Springfield, in Washington county.

An act to amend the charter of the town of Bardstown, in Nelson county.

An act to amend an act, entitled "An act incorporating the town of Nebo, in Hopkins county"

An act to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17, 1871.

An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8, 1871.

An act to repeal an act to amend the charter of the city of Paris, approved March 18, 1870.

An act to change the name of Greenupsburg to Greenup.

An act to repeal chapter 853 of the acts approved at the session of 1869-'70.

An act to amend section 2, article 5, chapter 32, of the Revised Statutes.

An act to amend the charter of the town of Slaughtersville, Webster county.

An act to extend the boundary of the city of Owensboro.

An act to amend the charter of the town of Lancaster.

On motion of Mr. Varnon,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the concurrence of this House in the amendment proposed by the Senate to a bill which originated in this House, entitled

An act to incorporate the Louisville Stock and Bond Board.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT.

*Gentlemen of the Senate and House of Representatives:*

I respectfully call your attention to a movement which is receiving the earnest consideration of philanthropists and statesmen in all civilized nations, and the successful prosecution of which I regard as a matter of the highest public interest. This movement is the calling of an International Congress for the prevention and repression of crime, to be held in the city of London on the 3d of July next.

The principal governments of Europe and America will be represented in this Congress. Already delegates have been appointed in our own country by the Federal Government and several of our

sister States, and I earnestly recommend that you provide for the appointment of a delegate to represent the Commonwealth of Kentucky in this important convention.

The object which the conference has in view must commend itself to every thoughtful mind as one of no ordinary concern to the welfare of society. It proposes to attempt the solution of some of the most perplexing but vital problems connected with the administration of criminal justice, the conduct of penal and reformatory institutions, and the treatment of our criminal population. There is no result of our Christian civilization which more clearly evinces its Divine origin than the active sympathy it has summoned to the relief of suffering humanity, and the compassionate charity which forgets not even the fallen and the erring—a charity which pities while it condemns, and loves whilst it chastens—which, whilst it makes no compromise with crime, and would not make vice less odious, still recollects that the culprit is our fellow-man.

Amid the disorders of the convulsive times upon which we have fallen, such an enterprise of wise benevolence presents a cheering, hopeful sign. We instinctively feel that *that* cannot be a degenerate age in which the names and memory of John Howard and Elizabeth Fry are still revered, their labors of love accounted among the highest types of heroic virtue, and the spirit of philanthropy which animated them breathes in so many generous hearts a living power in society.

Scarce a century has elapsed since that stern but great hearted philanthropist, John Howard, began to thrill the hearts of all men, from the cottage to the throne, with his pleadings for the poor prisoner. Up to that time the convicted criminal was abhorred as an outcast beyond the pale of humanity, bearing the brand of Cain, an object only of vindictive punishment. This great and good man shared not such prejudices. He felt that society was unjustly and unwisely inflicting a great wrong, even upon the wrong-doer; and with no morbid sentiment, of which his stern, grave nature, was incapable, but with a true enthusiasm of humunity, a wise and God-given charity in his warm heart, he devoted his life and fortune to the reform of prison discipline. Not in England only, but throughout Europe, he visited the most loathsome dungeons, and made the wretched felon feel that he was not an utter outcast from common humanity. He stood before kings and emperors, and plead the cause of the poor prisoner till every sceptre touched his plea with assenting

sympathy. The self-denial, the charity, the wise words of the great philanthropist, sank deep in men's hearts; the world would not, could not, let them die, and their fruit is with us to-day.

As interest in the subject increased, larger views were taken. Thinking men began to realize that the matter extended beyond the sphere of the mere philanthropist. The statesman saw that it involved one of the gravest questions with which society has to deal. The truth of Beccari's axiom, *that it is much better to prevent crimes than to punish them*, was recognized, and to-day, in treating of the reform of prison discipline, the object is not so much (as in the days of Howard) to secure the convict humane treatment, as to adopt the best method of reclaiming him and preventing crime. Since the establishment of the reformatory schools for juvenile delinquents at Mettray (in France) in 1839, numerous others of the kind, and similar ones for the reformation of adult criminals, have been established both in Europe and America. A great amount of good has been already accomplished, giving hope of the happiest results in the future. In the meantime the systems in different institutions vary so much, and theories so opposite have claimed success, that to attain greater uniformity, and communicate results of the different methods, the National Prison Association of the United States has ventured to call the proposed International Congress at London—a call which has been generally and heartily responded to by the leading governments of the world.

Hoping that you will concur with me in the wish that our good State should be represented in this Congress,

I am, respectfully,

P. H. LESLIE.

*Ordered*, That said message be referred to a select committee, consisting of Messrs. Corbett, Wright, Varnon, Thomas, and Thomas M. Johnson.

A message was received from the Senate, asking to withdraw from this House the announcement of the passage of a bill by the Senate, which originated in this House, entitled

An act to incorporate the Citizens' Gas-light Company, of Louisville.

And the question being taken on granting the leave asked, it was decided in the negative.

Mr. Blackburn, from the Joint Committee of Conference on the subject alluded to therein, made the following report, viz:

The Joint Committee of Conference, whose duty it has been to take into consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts,

Would recommend that the Senate adhere to their *first* and *second*, and recede from their *third* and *fourth* proposed amendments, and that the House of Representatives recede from their disagreement to the *first* and *second*, and adhere to their disagreement to the *third* and *fourth* proposed amendments of the Senate.

All which is most respectfully submitted.

A. GALLATIN TALBOTT, SR.,
*Chairman Senate Committee.*
W. H. CHELF,
EMERY WHITAKER,
H. S. HALE,
J. H. DORMAN,
J. C. S. BLACKBURN,
*Chairman House of Reps. Committee.*
JOSEPH M. DAVIDSON,
E. F. WAIDE,
J. L. WARING,
CLINTON GRIFFITH.

The question was then taken on the adoption of said report, and of the recommendations therein, and it was decided in the affirmative.

On motion of Mr. Corbett, the further consideration of a bill from the Senate, entitled

An act to provide for the location and erection of the Third Lunatic Asylum,

Was postponed to, and made the special order of the day for, to-morrow, at 10 o'clock, A. M.

Mr. Blackburn, from the Committee on Railroads, to whom was recommitted a bill, entitled

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company,

Reported the same without amendment.

Mr. Woolfolk offered an amendment thereto, which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the amendment proposed by the Senate, to a bill which originated in this House, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county," approved February 7th, 1870.

Said amendment was concurred in.

On motion of Mr. Webb, the bill now pending, entitled

A bill to provide for a geological and mineralogical survey of the State,

Was made the special order of the day for Wednesday, the 20th inst., at 10½ o'clock, A. M.

Mr. Tucker, from the Committee on the Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the city of Lexington,

Reported the same without amendment, and with the expression of opinion of a majority of said committee that said bill ought to pass.

On motion of Mr. Goodloe, the further consideration of said bill was postponed to, and made the special order of the day for, Thursday, the 21st inst., at 10 o'clock, A. M.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Foote, from the Committee on County Courts—

A bill to repeal the 2d, 3d, and 4th sections of an act to amend an act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky, approved February 6, 1871.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill for the benefit of the Lagrange and Shelbyville Turnpike Road Company.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—

A bill to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Road Company.

By Mr. Waring, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Elizabethtown and Paducah Railroad Company, and the acts amendatory thereto."

By same—

A bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By Mr. F. A. Wilson, from the Committee on County Courts—

A bill to amend the charter of the Lowell and Spoonsville Turnpike Road Company, approved February 1, 1868.

By same—

A bill to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

By same—

A bill for the benefit of turnpike roads in Scott county.

By Mr. Foote, from the same committee—

A bill to regulate the running of ferries and ferry rates in the city of Covington.

By same—

A bill to regulate and establish the rate of tolls on the Covington and Cincinnati bridge.

By same—

A bill for the benefit of the estate of, and infant heirs of, Harvey Usher, late of Ballard county.

By same—

A bill to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads.

By same—

A bill for the benefit of Kenton county.

By same—

A bill to amend the charter of the town of Eddyville, in Lyon county.

By Mr. Reeves, from the Committee on Railroads—

A bill to amend the charter of the Paducah and Gulf Railroad Company, approved February 26, 1869.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. A. Bell, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to incorporate the Kentucky Tobacco Commission and Mining Company.

Reported the same with an amendment, which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Waring, from the Committee on Railroads—

An act for the benefit of the Central Kentucky Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—

An act to amend the charter of the city of Maysville.

By Mr. Scales, from the Committee on Railroads—

An act to limit the power of the Barren county court in ordering elections for subscription of stock to the Cumberland and Ohio Railroad Company.

By Mr. Reeves, from the same committee—

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, leave of absence, indefinitely, was granted to Messrs. Brooks, Graves, Conrad, and Arnold.

The House took up the unfinished order of yesterday, viz:

An act to establish a court of common pleas in the 11th judicial district.

Said bill was amended.

*Ordered*, That said bill, as amended, be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is established in all the counties composing the eleventh judicial district a court of justice, which shall be known as the court of common pleas, to be a court of record, held by a single judge, for said district, who shall be elected on the first Monday in August, 1872, and hold his office for the term of six years, and until his successor shall be elected and qualified; and the successor of said judge in every six years thereafter; he shall possess the same qualifications as circuit judges; shall receive the same salary, which shall be paid to him in the same manner as salaries of circuit judges; he shall be a conservator of the peace; be commissioned and qualified in the same manner as circuit judges are, and shall be subject to impeachment and removal from office in like manner and for like causes; shall have like powers as a circuit judge out of court, and shall have power to appoint examiners for any county in said judicial district, and license attorneys for the State of Kentucky; and vacancies shall be filled in said court in the same manner as they are filled in circuit courts of this Commonwealth; the same practice and the same fees, as far as applicable, shall prevail in said court as in circuit courts; and it shall have a seal bearing its name and the arms of this Commonwealth.

§ 2. The court of common pleas shall have original jurisdiction of all civil business by suits at law or in equity motions, or otherwise, and in all other matters and things of which the circuit courts of this Commonwealth have jurisdiction, except that said court shall not have any criminal or penal jurisdiction; said court shall have the same appellate jurisdiction that the circuit courts of this Commonwealth have in civil actions and traverses of writs of forcible entry and detainer; and bonds to suspend the sale of property under execution or attachment, or distress warrant, or attachment for rent, shall be taken to, and tried in, said court, in the same manner as they are now tried and disposed of in circuit courts.

§ 3. The sheriffs of said district shall perform all the duties in all cases and proceeding in said court which, by law, they would be required to perform in the circuit courts of this State; and the circuit court clerks of each county in said district shall perform for their respective counties the clerical duties of said court, and be entitled to the same fees as they are allowed by law for similar services in circuit courts, collectable in like manner; they shall be responsible on their official bonds for the faithful discharge of their duties herein, in the same manner, and to the same extent, as acts done or omitted to be done in the circuit courts; and their certificates of the records of said court shall have the same force as given by law to their certifi-

cates of the records of the circuit court of said district; and the records of said court of common pleas shall have the same force and effect, and shall be evidence in all the courts of this State, in the same manner and to the same extent as records of the circuit courts. And the clerks of the several courts of said district shall, on the second Monday in August, 1872, transfer from the circuit courts of said district all common law business, by suit, motion, or bond to suspend the sale of property taken under execution, attachment, or distress warrant for rent, which shall at that time be pending and undetermined in the circuit courts of said district, to the court of common pleas of said district: *Provided*, That any suit, motion, appeal, or proceedings in the circuit courts of said district, in which a motion for a new trial shall be then pending, shall be exempted from said transfer; and the circuit clerks of the counties comprising said district shall, at the written request of the plaintiff and defendants, or either of them, in any action in equity pending in the circuit courts of said district, transfer any cause or causes pending in the circuit courts of said counties to the court of common pleas of the respective counties of said district, who shall regularly docket the same for trial, which action, so transferred, shall procure in said court the final trial and judgment, in the same manner as if they had been originally instituted in said court of common pleas. The jailers and coroners of the counties comprising said district shall perform the same duties in the court of common pleas as they are required by law to perform in the circuit courts of this State, and for which they shall receive the same compensation, to be paid in the same manner as they are paid for similar services in the circuit courts. That the provisions of the Revised Statutes, and amendments thereto, regulating the election of *pro tem.* judges of the circuit courts, shall regulate and govern the election and qualifications of *pro tem.* judges of the court of common pleas created by this act.

§ 4. The judge of the court of common pleas shall have the same power to grant and try writs of habeas corpus, mandamus, and writs of prohibition, as circuit courts and circuit judges in this Commonwealth have. The laws regulating the change of venue in civil actions in this Commonwealth shall regulate and govern the change of venue of any civil causes from the court of common pleas provided for in this act; and whenever any action shall be pending in any circuit court of said district, and at the same time an action or actions shall be pending in the court of common pleas of said district affecting the same property; or whenever, for any cause, it shall be made to appear to either the circuit judge or judge of the court of common pleas that there are actions pending in said courts, and that it would be right and proper to have the same consolidated and tried together, it shall be the duty of either of said courts to transfer all such causes to the docket of either the circuit court or court of common pleas, so that all said causes may be heard and tried together in the same court, which shall be done by an order entered upon the order-book of the court making the transfer: *Provided*, That when causes have been transferred from one court to the other, no second order of transfer shall be made, unless with the consent of all the

parties to the action. The laws regulating the selecting, summoning, and empanneling of petit jurors in the circuit courts of this State shall regulate the selecting, summoning, and empanneling of jurors in the court of common pleas. That the Code of Practice of this State shall regulate and govern all actions and proceedings in the court of common pleas in the same manner, and to the same extent, as in circuit courts. The court of common pleas shall hold at least two terms in each year in each county of said judicial district, which terms shall be fixed by law.

§ 5. That the sheriffs, jailers, marshals, and constables in the several counties comprising said district, and throughout the State, shall execute all precepts and process, summons, and writs of execution, which to them shall be directed from said court, and return the same to the proper office, and be responsible in like manner as for process, precepts, summons, and writs of execution issued from the circuit courts of this Commonwealth.

§ 6. That the circuit court clerks of each county in said district shall procure a set of record books for said court, such as are used in the circuit courts of this State, in which shall be kept the minutes, records, and proceedings of said court, which books shall be paid for out of the public treasury in the same manner as record books for circuit courts are now paid for. All the fees to any officer for any service performed in the court of common pleas shall be due and payable, and collectable, under existing laws.

§ 7. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph P. Foree, | Hiram S. Powell, |
| Wm. A. Allen, | James Garnett, | W. L. Reeves, |
| A. C. Armstrong, | Wm. Cassius Goodloe, | E. A. Robertson, |
| W. W. Ayers, | C. P. Gray, | John Rowan, |
| Alpheus W. Bascom, | Clinton Griffith, | Samuel M. Sanders, |
| John A. Bell, | Wm. A. Hoskins, | C. C. Scales, |
| S. C. Bell, | George M. Jessee, | William Sellers, |
| J. C. S. Blackburn, | E. Polk Johnson, | James W. Snyder, |
| Church H. Blakey, | T. M. Johnson, | Wm. Tarlton, |
| Wm. F. Bond, | L. W. Lassing, | J. S. Taylor, |
| Thomas P. Cardwell, | J. S. Lawson, | George M. Thomas, |
| Robert M. Carlisle, | G. W. Little, | C. W. Threlkeld, |
| John S. Carpenter, | J. J. McAfee, | Harry I. Todd, |
| George Carter, | J. A. McCampbell, | Joseph T. Tucker, |
| B. E. Cassilly, | Bryan S. McClure, | T. W. Varnon, |
| James S. Chrisman, | William J. McElroy, | E. F. Waide, |

| | | |
|---|---|---|
| R. D. Cook, | M. E. McKenzie, | J. L. Waring, |
| R. L. Cooper, | T. J. Megibben, | C. H. Webb, |
| Thomas H. Corbett, | J. C. Moorman, | J. M. White, |
| J. E. Cosson, | Wm. Mynhier, | Mordecai Williams, |
| Joseph M. Davidson, | J. L. Nall, | F. A. Wilson, |
| John W. Dyer, | John W. Ogilvie, | J. N. Woods, |
| W. H. Evans, | Julian N. Phelps, | S. H. Woolfolk, |
| C. D. Foote, | Lewis Potter, | J. M. Wright—72. |

And so said bill was disagreed to.

Mr. Foote, from the Committee on County Courts, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to regulate fees of quarterly court clerks in appeal cases.

A bill for the benefit of Wm. G. Scott, of Hinklesville, Ballard county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

The question was then taken on ordering said bills, severally, to be read a third time, and it was decided in the negative.

And so said bills were rejected.

On motion of Mr. Davidson, leave was given to bring in a bill for the benefit of the clerk of the Johnson county court.

*Ordered*, That the Committee on County Courts prepare and bring in the same.

And then the House adjourned.

## SATURDAY, MARCH 16, 1872.

A message was received from the Senate, announcing that they had concurred in and adopted the report of the Joint Committee of Conference on the subject of the disagreement of the two Houses on the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts.

That they had concurred in the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Bank of Owen.

An act to incorporate the Bank of Uniontown.

An act for the benefit of Pearce, Wallingford & Co.

That they had refused to concur in the first amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Bank of Commerce.

And had concurred in the other amendments proposed by the House of Representatives to said bill.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate the sale of spirituous, vinous, and malt liquors in Lewisport justices' district, in Hancock county.

An act to amend an act to incorporate the Broadway and Dunkirk Railway Company, approved March 23, 1871.

An act to amend an act, entitled "An act to incorporate the Covington Street Railway Company."

An act to incorporate the Boone Bridge Company.

An act to repeal the 2d, 3d, and 4th sections of an act to amend an act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky, approved February 6, 1871.

An act to incorporate the Broadway Baptist Church, of Louisville.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Contracting and Building Company, for the purpose of building, and

aiding in building, railroads, bridges, and telegraph lines," approved March 4, 1872.

2. An act to incorporate the Southern Kentucky Railroad Company.

3. An act to incorporate the Cumberland Gap and Mississippi River Railroad Company.

4. An act to amend chapter 265, approved February 13, 1872.

5. An act for the benefit of T. A. Leeper, jailer of Livingston county.

6. An act to provide a private secretary for the Governor.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st, 2d, 3d, and 4th to the Committee on Railroads; the 5th to the Committee on Claims; and the 6th to the Committee on Public Offices.

On motion, leave of absence, indefinitely, was granted to Messrs. McAfee and Bush.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of intoxicating liquors in Potsville district, in Washington county.

An act to transcribe certain surveyors' books of Breathitt county.

An act to protect small birds in Bracken county.

An act to prohibit the sale of intoxicating liquors in the town of Claysville.

An act to amend the charter of Lancaster Cemetery Company.

An act to repeal an act, entitled "An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown precinct, No. 4, in Clark county."

An act to amend the charter of Bryantsville, and further amend an act approved February 14, 1871.

An act to incorporate the town of Marshall, in Bath county.

An act to incorporate the town of Wingo, in Graves county.

An act to incorporate the Bourbon Female College.

An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county.

An act to prevent the destruction of fish in Little Kentucky river and other streams in Carroll and Trimble counties.

A message was received from the Senate, announcing that they had granted the request of this House to withdraw the announcement of the concurrence by this House in the amendment proposed by the Senate, to a bill which originated in this House, entitled

An act to incorporate the Louisville Stock and Bond Board.

Mr. Waide moved to reconsider the vote by which said amendment was concurred in.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

The question was then again taken on concurring in the amendment proposed by the Senate to said bill, and it was decided in the negative.

Said bill being returned to the Senate with an announcement of the action of this House thereon, a message was returned from the Senate, announcing that they had passed said bill, with an amendment thereto.

A message was received from the Senate, announcing that they had passed a bill of the following title, viz:

An act to provide for the preservation of the estates and security of persons of unsound mind, who, by habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on the Revised Statutes.

Mr. Goodloe, by unanimous consent, offered the following resolution, which was taken up and adopted.

*Resolved*, That when this House adjourns at 1 o'clock, P. M., it will adjourn to meet Monday, March 18, at 9½ o'clock, A. M.

The hour of 11 o'clock, A. M., having arrived, the House took up for further consideration a bill from the Senate, entitled

An act to provide for the location and erection of the Third Lunatic Asylum,

And the amendments proposed thereto by the committee.

The second branch of the first amendment proposed by the committee is in these words, viz:

Strike out in 6th line the words "Third Lunatic Asylum," and insert instead "Central Lunatic Asylum."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. M. Johnson and S. M Sanders, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| S. C. Bell, | James Garnett, | E. A. Robertson, |
| Church H. Blakey, | T. M. Johnson, | Samuel M. Sanders, |
| B. E. Cassilly, | G. W. Little, | James W. Snyder, |
| James S. Chrisman, | Bryan S. McClure, | J. S. Taylor, |
| R. D. Cook, | William J. McElroy, | E. F. Waide, |
| W. H. Evans, | J. L. Nall, | J. M. White—18. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | Lewis Potter, |
| Wm. A. Allen, | John W. Dyer, | Hiram S. Powell, |
| A. C. Armstrong, | C. D. Foote, | W. L. Reeves, |
| W. W. Ayers, | Joseph P. Foree, | John Rowan, |
| G. W. Bailey, | Wm. Cassius Goodloe, | C. C. Scales, |
| Alpheus W. Bascom, | C. P. Gray, | George M. Thomas, |
| W. R. Bates, | Wm. A. Hoskins, | C. W. Threlkeld, |
| W. N. Beckham, | T. J. Jones, | Harry I. Todd, |
| J. C. S. Blackburn, | L. W. Lassing, | Joseph F. Tucker, |
| Wm. F. Bond, | J. S. Lawson, | T. W. Varnon, |
| Thomas P. Cardwell, | J. A. McCampbell, | J. L. Waring, |
| Robert M. Carlisle, | M. E. McKenzie, | C. H. Webb, |
| George Carter, | J. C. Moorman, | Mordecai Williams, |
| R. L. Cooper, | Wm. Mynhier, | F. A. Wilson, |
| Thomas H. Corbett, | John W. Ogilvie, | S. H. Woolfolk—47. |
| J. E. Cosson, | Julian N. Phelps, | |

And so said amendment was rejected.

The second amendment proposed by the committee is as follows, viz:

Amend section 2 by striking out in 3d and 4th lines the words: "Shall locate said Asylum on or before May 1, 1872, at some suitable point in one of the counties west of the Tennessee river," and insert instead: "Shall proceed to locate said Asylum by making personal examination of the various localities competing for said institution; and they shall determine its location by considering the location of the Eastern and Western Asylums, and selecting some central and convenient point that affords all of the advantages necessary to sustain and support such an institution at the least cost, and with the greatest benefits, to-wit: fertility of soil, healthfulness, pure and abundant water, accessibility, abundant and cheap fuel,

suitable labor and supplies, together with any inducements offered, either in lands or money, to secure said location; and the said Commissioners shall locate said institution on or before the 1st day of July, 1872."

Mr. Cooper offered the following amendment to said amendment, viz:

Strike out all after the word "institution," in the 5th line of the printed amendment, to the word "advantages," in the 7th line of same, and insert the following words: "And they shall adopt that locality which affords the greatest."

And the question being taken on the amendment proposed by Mr. Cooper, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Waide, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | Lewis Potter, |
| Wm. A. Allen, | R. L. Cooper, | E. A. Robertson, |
| A. C. Armstrong, | James B. Fitzpatrick, | John Rowan, |
| W. R. Bates, | C. P. Gray, | J. P. Sacksteder, |
| W. N. Beckham, | T. M. Johnson, | Samuel M. Sanders, |
| John A. Bell, | G. W. Little, | James W. Snyder, |
| S. C. Bell, | Bryan S. McClure, | George M. Thomas, |
| Church H. Blakey, | Wm. J. McElroy, | E. F. Waide, |
| Robert M. Carlisle, | J. L. Nall, | J. L. Waring, |
| B. E. Cassilly, | Julian N. Phelps, | J. M. White—31. |
| James S. Chrisman, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | Joseph P. Foree, | C. C. Scales, |
| G. W. Bailey, | Wm. Cassius Goodloe, | J. S. Taylor, |
| Alpheus W. Bascom, | Wm. A. Hoskins, | C. W. Threlkeld, |
| J. C. S. Blackburn, | T. J. Jones, | Harry I. Todd, |
| Wm. F. Bond, | L. W. Lassing, | Joseph T. Tucker, |
| Thomas P. Cardwell, | J. S. Lawson, | T. W. Varnon, |
| George Carter, | M. E. McKenzie, | C. H. Webb, |
| Thomas H. Corbett, | J. C. Moorman, | Mordecai Williams, |
| J. E. Cosson, | Wm. Mynhier, | F. A. Wilson, |
| Joseph M. Davidson, | John W. Ogilvie, | S. H. Woolfolk, |
| John W. Dyer, | W. L. Reeves, | J. M. Wright—34. |
| C. D. Foote, | | |

And so said proposed amendment to the amendment was rejected.

Mr. Wright then offered an amendment for the original bill and amendments proposed by the committee, and as a substitute therefor.

Pending discussion thereon, on motion of Mr. Corbett, the further consideration of said bill and amendments was postponed to, and made the special order of the day for, Tuesday next, at 10 o'clock, A. M.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Blackburn, from the Committee on Railroads—

An act to amend the charter of the Louisville City Railway Company.

By Mr. Waring, from the same committee—

An act to incorporate the Louisville and Brownsboro Railway Company.

By Mr. Blackburn, from the same committee—

An act to amend an act, entitled "An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4, 1872.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Waring, from the Committee on Railroads—

A bill to incorporate the Evansville and Jackson Railroad Company.

By Mr. Robertson, from the Committee on Religion—

A bill to prohibit the sale of spirituous, vinous, or malt liquors in the town of Poplar Plains, in Fleming county.

By Mr. Waring, from the Committee on Railroads—

A bill to amend the charter of the Eastern Kentucky Railway Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Armstrong offered the following resolution, viz:

Whereas, The Governor of this Commonwealth has requested this legislative body to take into consideration the best mode of encouragement to foreign immigration, and to adopt the best practical means that will induce the honest laborers, mechanics, miners, and others, to immigrate to the State of Kentucky, to aid in the development of our agricultural and mineral wealth; therefore,

*Resolved*, That the Speaker of the House of Representatives be instructed to appoint a committee of three members, to take into consideration the subject referred to in the preamble of this resolution, and report to this House by bill or otherwise.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Foote and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | John W. Ogilvie, |
| Wm. A. Allen, | James B. Fitzpatrick, | Julian N. Phelps, |
| A. C. Armstrong, | C. D. Foote, | W. L. Reeves, |
| Alpheus W. Bascom, | Joseph P. Foree, | C. C. Scales, |
| W. R. Bates, | James Garnett, | George M. Thomas, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Harry I. Todd, |
| John A. Bell, | C. P. Gray, | Joseph T. Tucker, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | T. W. Varnon, |
| Thomas P. Cardwell, | L. W. Lassing, | E. F. Waide, |
| B. E. Cassilly, | J. S. Lawson, | J. L. Waring, |
| R. D. Cook, | G. W. Little, | C. H. Webb, |
| R. L. Cooper, | M. E. McKenzie, | Mordecai Williams, |
| Thomas H. Corbett, | Wm. Mynhier, | J. M. Wright—41. |
| Joseph M. Davidson, | J. L. Nall, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| G. W. Bailey, | T. J. Jones, | John Rowan, |
| S. C. Bell, | J. A. McCampbell, | Samuel M. Sanders, |
| Church H. Blakey, | Bryan S. McClure, | James W. Snyder, |
| Robert M. Carlisle, | William J. McElroy, | J. S. Taylor, |
| George Carter, | J. C. Moorman, | C. W. Threlkeld, |
| James S. Chrisman, | Lewis Potter, | J. M. White, |
| J. E. Cosson, | Hiram S. Powell, | S. H. Woolfolk—23. |
| T. M. Johnson, | E. A. Robertson, | |

And thereupon Messrs. Armstrong, Reeves, and Beckham were appointed said committee.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Stock and Bond Board.

Said amendment was concurred in.

Mr. Reeves, from the Committee on Enrollments, reported that they had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to repeal an act concerning public books, and providing for the supply of destitute counties;

An act authorizing an additional examiner in the town of Ashland, in Boyd county;

An act to authorize the judge of the Warren circuit court to sign the records of said court made on the 5th day of March, 1870;

An act regulating the terms of the McCracken circuit court, and transfer of certain cases therein to the McCracken court of common pleas;

An act to regulate the terms and business of the McCracken court of common pleas;

An act to change the terms and regulate the business of the Graves circuit court;

An act providing for a settlement with H. I. Todd, late Lessee and Keeper of the Penitentiary;

Resolutions in regard to the navigation of the Ohio and other Western rivers;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county," approved February 7th, 1870;

An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county;

An act to incorporate the Falls City Association for the Improvement of the Breeds of Stock;

An act to amend an act, entitled "An act to charter the Hustonville and McKinney's Station Turnpike Road Company;"

An act to amend the charter of the Hanging Fork and Green River Turnpike Road Company;

An act to regulate the time of holding circuit courts in the fifteenth judicial district;

An act for the benefit of the sureties of John W. Combs, late sheriff of Woodford county;

An act changing the time of holding the quarterly courts in the county of Knox;

Resolution directing Auditor to draw his warrant on Treasury for sundry sums of money;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

And then the House adjourned.

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## MONDAY, MARCH 18, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the German Insurance Bank.

An act for the benefit of Allen Jones, late sheriff of Pulaski county.

An act to incorporate the Market Bank, of Louisville.

An act to change the time of holding the Ohio quarterly court.

An act for the benefit of J. C. Linn, late sheriff of Calloway county.

An act entitled "An act to amend the charter of the Central Savings Bank of Louisville," approved March 15, 1859.

An act to amend an act, entitled "An act to establish the People's Bank," approved February 15, 1856.

An act to incorporate the Stamping Ground and Long Lick Turnpike Road Company, in Scott county.

That they had concurred in the amendments proposed by the House of Representatives, to bills which originated in the Senate, of the following titles, viz:

An act to amend an act to incorporate the Louisville Insurance and Banking Company, approved 24th January, 1867.

An act to incorporate the Uniontown Deposit Bank.

An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10, 1869.

An act to incorporate the Deposit Bank of Carrollton.

An act to incorporate the Kentucky Tobacco Commission and Mining Company,

And thereupon the title of the last named bill was changed so as to read,

An act to incorporate the Kentucky Commercial and Manufacturing Company.

That they had disagreed to bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Northern Bank of Kentucky.

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company."

An act to amend an act incorporating the Paris, Georgetown, and Frankfort Railroad Company, approved March 23, 1871.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act creating an additional justices' and constable's district in Johnson county.

An act for the benefit of the Farmers' Bank of Kentucky.

An act to incorporate the Tygart Valley Iron Company.

An act for the benefit of the New Liberty Branch Turnpike Road Company, in Owen county.

An act for the benefit of Joseph Gardner, of Magoffin county.

An act to incorporate the Leestown Turnpike Road Company.

An act for the benefit of the Georgetown, Oxford, and Leestown Turnpike Road Company.

An act to amend the charter of the Winchester and Red River Turnpike Road Company.

An act to amend an act, entitled "An act to amend the charter of the Blue Lick Turnpike Road Company," approved February 22d, 1871.

An act for the benefit of the Chilesburg and Clintonville Turnpike Road Company.

An act to incorporate the White Stone Quarry Company.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating Sherburn Bridge Company,'" approved March 14, 1871.

An act to authorize the city of Hopkinsville and county of Christian to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company.

An act to incorporate the Cross Roads and Cornishville Turnpike Road Company.

An act to amend chapter No. 315 of acts of 1869–'70, entitled "An act to incorporate Rio Bridge Company."

An act to incorporate the Silas and Townsend Turnpike Company.

An act to incorporate the Liberty and Green River Turnpike Road, in Casey county.

An act to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties.

An act to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company.

An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," approved January 30, 1872.

An act to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company," approved March 6, 1850.

An act to amend an act, entitled "An act to incorporate the German Insurance Company."

An act to incorporate the Big Sandy Highway Bridge Company.

An act to incorporate the Owensboro and Indiana Bridge Company.

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13, 1867.

An act to incorporate the Bank of Trenton, in Todd county.

An act for the benefit of A. P. Childress.

An act for the benefit of school district No. 3, in Hancock county.

An act to amend the charter of Glasgow Junction.

An act to repeal an act, entitled "An act to amend the charter of Cave City, in Barren county," approved March 8, 1871.

An act to amend the charter of the Clark and Montgomery Turnpike Road Company.

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

An act to amend the act incorporating the Grassy Lick Turnpike Road Company.

An act to provide for the collection of the railroad tax in Montgomery county.

An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company.

An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

An act to amend an act, entitled, "An act to incorporate the Union County Bank."

An act to incorporate the Paducah Universal Deposit and Trading Bank.

An act to incorporate the Mercantile Bank, of Louisville.

With amendments to the last four named bills.

And that they had passed bills of the following titles, viz:

1. An act to amend an act to establish an Insurance Bureau," approved March 10, 1870.

2. An act to amend an act, entitled "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 2, 1865.

3. An act to repeal an act, entitled "An act for the benefit of the police judge of the town of Hawesville," approved February 10th, 1871.

4. An act amendatory of the laws in relation to the city of Frankfort.

5. An act to amend the charter of the Lewis and Mason County Turnpike Road Company.

6. An act to amend the charter of the Irvine and Miller Creek Turnpike Road and Bridge Company.

7. An act for the benefit of Alderson T. Keen, sheriff of Cumberland county.

8. An act to incorporate the Princeton, Marion, and Ohio River Railroad Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st, 3d, and 4th to the Committee on the Judiciary; the 2d and 7th to the Committee on Ways and Means; the 5th and 6th to the Committee on Internal Improvement; and the 8th to the Committee on Railroads.

Mr. Armstrong, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill to amend the common school law of this Commonwealth,

With the expression of opinion that said bill ought not to pass.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett offered an amendment thereto.

On motion of Mr. Corbett, said bill and amendment were recommitted to the Committee on Education.

On motion of Mr. Dyer, the further consideration of a bill, entitled

A bill to provide for the improvement of Tradewater river,

Was postponed to, and made the special order of the day for, Wednesday, the 20th inst., at 11 o'clock, A. M.,

Mr. Armstrong, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act for the benefit of school district No. 41, in Green county,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Garnett, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bascom moved to print said bill, and make its consideration the special order of the day for Friday, the 22d instant, at 11 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and Bates, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James Garnett, | W. L. Reeves, |
| Wm. A. Allen, | C. P. Gray, | John Rowan, |
| W. W. Ayers, | Wm. A. Hoskins, | Samuel M. Sanders, |
| G. W. Bailey, | L. W. Lassing | C. W. Threlkeld, |
| Alpheus W. Bascom, | J. S. Lawson, | Harry I. Todd, |
| W. R. Bates, | J. A. McCampbell, | L. W. Trafton, |
| Robert M. Carlisle, | Bryan S. McClure, | E. F. Waide, |

| | | |
|---|---|---|
| George Carter, | M. E. McKenzie, | J. L. Waring, |
| C. M. Clay, jr., | J. C. Moorman, | C. H. Webb, |
| R. L. Cooper, | Wm. Mynhier, | J. M. White, |
| Thomas H. Corbett, | J. L. Nall, | Mordecai Williams, |
| Joseph M. Davidson, | John W. Ogilvie, | F. A. Wilson, |
| John W. Dyer, | Julian N. Phelps, | S. H. Woolfolk, |
| C. D. Foote, | Lewis Potter, | J. M. Wright—44. |
| Joseph P. Foree, | Hiram S. Powell, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. N. Beckham, | J. E. Cosson, | William Sellers, |
| S. C. Bell, | W. H. Evans, | J. S. Taylor, |
| Thomas P. Cardwell, | Thos. M. Johnson, | G. M. Thomas, |
| James S. Chrisman, | G. W. Little, | T. W. Varnon, |
| J. Guthrie Coke, | Wm. J. McElroy, | J. N. Woods—17. |
| R. D. Cook, | E. A. Robertson, | |

The House took up from the orders of the day, and proceeded to consider still further, a bill, entitled

A bill regulating sales by auction in the towns and cities of this Commonwealth.

Mr. Waide offered an amendment thereto.

Mr. Chrisman then moved to lay the bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Reeves and Johnson, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | John Rowan, |
| Wm. A. Allen, | J. E. Cosson, | Samuel M. Sanders, |
| A. C. Armstrong, | John W. Dyer, | Wm. Sellers, |
| G. W. Bailey, | C. D. Foote, | George M. Thomas, |
| Alpheus W. Bascom, | Wm. A. Hoskins, | L. W. Trafton, |
| W. N. Beckham, | L. W. Lassing, | T. W. Varnon, |
| John A. Bell, | J. S. Lawson, | E. F. Waide, |
| Robert M. Carlisle, | Wm. Mynhier, | J. M. White, |
| George Carter, | John W. Ogilvie, | J. N. Woods, |
| James S. Chrisman, | Julian N. Phelps, | S. H. Woolfolk, |
| J. Guthrie Coke, | Lewis Potter, | J. M. Wright—35. |
| R. L. Cooper, | E. A. Robertson, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| S. C. Bell, | C. P. Gray, | W. L. Reeves, |
| Church H. Blakey, | Thos. M. Johnson, | J. S. Taylor, |
| Thomas P. Cardwell, | G. W. Little, | Harry I. Todd, |
| C. M. Clay, jr., | J. A. McCampbell, | Mordecai Williams, |
| Joseph M. Davidson, | Bryan S. McClure, | J. L. Waring—17. |
| James Garnett, | Wm. J. McElroy, | |

And so said bill was rejected.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for all mechanics, farmers, and peddlers, who have a State license as such, to sell their goods, wares, and merchandise and products at auction, in any incorporated city or town in this Commonwealth, by paying to the municipal authorities of said town, as a tax therefor, not exceeding two per centum on the gross amount so sold.

§ 2. All laws or parts of laws heretofore enacted, giving the authorities of any city or town the right to tax any of the aforesaid persons any greater amount than above specified, are hereby repealed: *Provided*, That the municipal authorities of any city or town shall have the power to fix said tax in any amount up to said limit.

§ 3. This act shall take effect from its passage.

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to prevent and punish certain trespasses in Scott and Woodford counties.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Blackburn offered an amendment thereto, which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Tucker, from the Committee on the Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to provide for the preservation of the estates and security of persons of unsound mind, who, by habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion,

Reported the same without amendment.

Mr. Cooper offered an amendment thereto, which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The rule being suspended, Mr. Corbett offered the following resolution, viz:

*Resolved*, That a committee of five be appointed to inquire into and ascertain how much business there is before this Legislature that will not be acted on by the time of the proposed adjournment, and what are the necessities, if any, of having an adjourned session, and report to this House.

Mr. Dyer offered the following substitute therefor, viz:

*Resolved*, That on all questions looking to the final adjournment of this General Assembly the vote shall be taken *viva voce*, and the yeas and nays shall not be called.

And the question being taken on the adoption of the proposed substitute, it was decided in the negative

The yeas and nays being required thereon by Messrs. Garnett and Beckham, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| C. M Clay, jr., | L. W. Lassing, | Mordecai Williams, |
| John W. Dyer, | Hiram S. Powell, | F. A. Wilson, |
| C. D. Foote, | Wm. Sellers, | J. M. Wright—11. |
| Wm. A. Hoskins, | T. W. Varnon, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | John W. Ogilvie, |
| Wm. A. Allen, | Thomas H. Corbett, | Julian N. Phelps, |
| A. C. Armstrong, | J. E. Cosson, | Lewis Potter, |
| W. W. Ayers, | Joseph M. Davidson, | W. L. Reeves, |
| G. W. Bailey, | W. H. Evans, | E. A. Robertson, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | John Rowan, |
| W. R. Bates, | James Garnett, | Samuel M. Sanders, |
| W. N. Beckham, | C. P. Gray, | James W. Snyder, |
| John A. Bell, | T. M. Johnson, | J. S. Taylor, |
| S. C. Bell, | T. J. Jones, | George M. Thomas, |
| J. C. S. Blackburn, | J. S. Lawson, | C W. Threlkeld, |
| Church H. Blakey, | G. W. Little, | Harry I. Todd, |
| Thomas P. Cardwell, | J. A. McCampbell, | L. W. Trafton, |
| Robert M. Carlisle, | Bryan S. McClure, | E. F. Waide, |
| John S. Carpenter, | Wm. J. McElroy, | J. L. Waring, |
| George Carter, | M. E. McKenzie, | C. H. Webb, |
| James S. Chrisman, | J. C. Moorman, | J. M. White, |
| J. Guthrie Coke, | Wm. Mynhier, | J. N. Woods, |
| R. D. Cook, | J. L. Nall, | S. H. Woolfolk—57. |

The question was then taken on the adoption of the resolution proposed by Mr. Corbett, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Gray, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Hiram S. Powell, |
| A. C. Armstrong, | James B. Fitzpatrick, | E. A. Robertson, |
| W. W. Ayers, | C. D. Foote, | John Rowan, |
| Alpheus W. Bascom, | Joseph P. Foree, | George M. Thomas, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | Harry I. Todd, |
| George Carter, | T. J. Jones, | L. W. Trafton, |
| C. M. Clay, jr., | L. W. Lassing, | T. W. Varnon, |
| R. D. Cook, | J. S. Lawson, | E. F. Waide, |
| R. L. Cooper, | G. W. Little, | J. M. White, |
| Thomas H. Corbett, | J. L. Nall, | Mordecai Williams, |
| J. E. Cosson, | John W. Ogilvie, | F. A. Wilson, |
| Joseph M. Davidson, | Julian N. Phelps, | S. H. Woolfolk, |
| W. W. Deaderick, | Lewis Potter, | J. M. Wright—40. |
| John W. Dyer, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | J. Guthrie Coke, | W. L. Reeves, |
| G. W. Bailey, | James Garnett, | Samuel M. Sanders, |
| W. R. Bates, | C. P. Gray, | William Sellers, |
| John A. Bell, | T. M. Johnson, | James W. Snyder, |
| S. C. Bell, | J. A. McCampbell, | J. S. Taylor, |
| J. C. S. Blackburn, | Bryan S. McClure, | C. W. Threlkeld, |
| Church H. Blakey, | William J. McElroy, | J. L. Waring, |
| Robert M. Carlisle, | M. E. McKenzie, | C. H. Webb, |
| John S. Carpenter, | J. C. Moorman, | J. N. Woods—29. |
| James S. Chrisman, | Wm. Mynhier, | |

Mr. Waide moved to reconsider the vote by which said resolution was adopted.

Mr. Powell moved to lay the motion to reconsider on the table.

The further consideration of said motion was postponed.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Clay, from the Committee on Agriculture and Manufactures—

An act to prevent the destruction of fish in Mercer county.

By Mr. Ayers, from the Committee on Religion—

An act to prohibit the sale of spirituous, vinous, or malt liquors within half a mile of Mount Gilead and Macedonia Churches, near Allensville, in Todd county.

By Mr. Reeves, from the Committee on the Judiciary—

An act to amend the criminal laws of this Commonwealth.

By Mr. Mynhier, from the Committee on County Courts—

An act for the benefit of Wolfe county.

By same—

An act for the benefit of Lee county.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Wright, the House took up from the orders of the day a bill, entitled

A bill for the promotion of medical science, and to prevent the traffic in dead human bodies.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Garnett then moved to reconsider the vote by which said bill was passed.

The House then took up the amendments proposed by the Senate, to bills which originated in this House, of the following titles, viz:

An act to amend the charter of the Union and Richwood Turnpike Road Company.

An act to incorporate the Scuffletown Fence Company.

An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15, 1868.

An act to incorporate the town of Paintsville.

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond."

An act to incorporate the Broadway Baptist Church, of Louisville.

An act to prohibit the sale of intoxicating liquors in Pulaski county.

An act to prohibit the sale of liquor in Letcher county.

An act to amend the charter of the town of Curdsville, in Daviess county.

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

Said amendments were severally concurred in.

The House took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Iron and Steel Rail Company.

Said amendment was concurred in, and the title changed so as to read,

An act to incorporate the Louisville Iron and Steel Rail Manufacturing Company.

The House then took up the disagreement of the two Houses in regard to the first amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Bank of Commerce.

The question was then put, "Will the House recede from its first proposed amendment to said bill?" and it was decided in the affirmative.

Mr. Tucker, from the Joint Committee appointed to visit Kentucky Agricultural College at Lexington, and to make certain inquiries in regard thereto, made the following report, viz:

The undersigned, a committee appointed by the General Assembly "to visit Kentucky Agricultural College at Lexington, and ascertain if the contract between the Kentucky University and the State has been complied with, and whether it is desirable to take from that Institution the agricultural funds of the State, and establish a State Agricultural College at that or some other point," would respectfully report:

That, in pursuance of the above resolution, we visited the Agricultural and Mechanical College of Kentucky University, at Lexington, and made a patient and careful investigation of the management of that Institution. Our labors were materially lightened by the alacrity and candor with which the officials afforded every facility for a full and searching examination. Eleven depositions were taken upon interrogatories, sufficiently comprehensive, in our judgment, to cover the whole ground. They are herewith reported for the scrutiny of the members of the General Assembly. The witnesses are a high order of men, whose scholarship, veracity, and unblemished characters, malice itself cannot successfully question. The students were selected and examined privately by the committee, and are youths of intelligence and promise. Many were personally talked with by individual members of the committee, and in every instance their statements corroborated the sworn testimony herewith transmitted. The Faculty of the Agricultural and Mechanical Col-

lege is composed of nine Professors; and, in addition, of the superintendents of the machine shops and horticultural department, all of whose salaries aggregate fourteen thousand and fifty ($14,050) dollars. One of these Professors, Dr. Peter, lectures in another College of the University, because the chemical apparatus and substances employed in the Agricultural College belong to the College of Arts, and the daily preparation of the experiments to illustrate the chemical course in the Agricultural and Mechanical College is necessarily made in the laboratory of the College of Arts until a new building and laboratory for the purpose is erected at the Agricultural College. The Professors belong to the various ecclesiastical denominations as follows: Jas. K. Patterson, Presbyterian; Dr. Peter, Episcopal (preference); Prof. Shackleford, Christian Church; Prof. Williams, Congregational; Prof. Herron, Christian Church; Col. Swigert, Methodist or Episcopal (preference); Major Helveti, Lutheran (preference); Tutor Smith, Christian Church; Superintendent Calder, Presbyterian; Superintendent Walter, Catholic.

The morning public chapel exercises are entirely free from the charge of sectarianism in any sense of that term, and the afternoon services are conducted by clergymen of the different denominations from the city of Lexington, who officiate alternately. The students are freely permitted, if not directed, to attend the church of their choice, or of the choice of their parents or guardians. The diversity of religious beliefs, as evinced by the church membership or preference of the teachers, the facts just recited, and others not mentioned herein, induce the very decided conviction that no partiality is shown to one sect or religious denomination over another in prescribing the studies and exercises, or in any part of the management and government of the Agricultural and Mechanical College.

No young man recommended by the county court has been refused admission, and sufficient accommodations have been provided for the comfortable lodgment of all who have applied. These students are entitled to gratuitous instruction in any of the Colleges of the University, except those of Law, Medicine, and the Commercial College.

The Agricultural and Mechanical College has the use and benefit of a model farm, comprising 433 acres, hardly unsurpassed, and made illustrious by its indissoluble association with the name and memory of Kentucky's greatest statesman—the Sage of Ashland. This great Institution offers to the poor and pennyless the inestimable blessings

of a complete education. Youths with but a few dollars in their pockets have toiled their way upon foot, in some cases from adjoining States, to the University, and by their labor alone have been enabled to acquire a thorough education. During the five months just passed, 115 students have received instruction without charge, and thousands of dollars paid to students for work done in the machine shops or on the farm. The following figures, which we believe are substantially correct, prove that the State has made, and is enjoying, a most advantageous bargain with Kentucky University:

| | |
|---|---|
| Total cost of "Ashland" (principal and interest) | $101,868 04 |
| Total cost of Woodlands (principal and interest) | 41,650 91 |
| Cost of Yost's Mechanical Works | 25,000 00 |
| Cost of scientific instruments, farming utensils, &c., &c. | 5,000 00 |
| Total | $193,518 95 |
| Increased value of property (433 acres) since purchase | 20,000 00 |
| | $213,518 95 |
| Interest on $213,518 95, at 6 per cent. | $12,811 13 |
| Amount paid annually to instructors | 14,050 00 |
| | $26,861 13 |
| Received from the State fund per annum | $9,900 00 |
| Interest at 6 per cent. on $20,000 (loan) | 1,200 00 |
| Total received from the State | $11,100 00 |
| Cost of the Agricultural and Mechanical College to Kentucky University more than the State pays | $26,861 13<br>11,100 00<br>$15,811 13 |

We are of the opinion that "the contract between the Kentucky University and the State" has not been violated, and that it is not "desirable to take from that Institution the interest on the agricultural fund;" that to do so would seem like an attempt to injure a great college which is not only non-sectarian, but broad, catholic, and comprehensive in its spirit and scope.

ALFRED T. POPE, *Ch'n*,
G. A. C. HOLT,
JOSEPH T. TUCKER,
A. W. BASCOM,
W. W. AYERS.

On motion of Mr. Goodloe, the Public Printer was directed to print 200 copies for the use of this House of a bill from the Senate, entitled

An act to amend the charter of the city of Lexington.

Mr. Foote, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill to change the line between the counties of Metcalfe and Barren.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

The question was then taken, "Shall the bill be engrossed and read a third time?" and it was decided in the negative.

And so said bill was rejected.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Blackburn, from the Committee on Railroads—

A bill to extend the time for the payment of railroad taxes in Bourbon county.

By same—

A bill to incorporate the Hartford, Calhoon, and Morganfield Railroad Company.

By Mr. Mynheir, from the Committee on County Courts—

A bill to increase the duties of the county attorney of Barren county.

By Mr. Varnon, from the Committee on Codes of Practice—

A bill authorizing the Buffalo Springs Cemetery Company to have lands condemned for their use.

By Mr. Corbett, from the Committee on Internal Improvement—

A bill for the benefit of the Louisville Industrial Exposition.

By Mr. Mynheir, from the Committee on County Courts—

A bill for the benefit of Farish Arnett, sheriff of Magoffin county.

By same—

A bill for the benefit of Amos Davis, sheriff of Morgan county.

By same—

A bill providing for the collection of railroad tax in Elliott county.

By same—

A bill to amend an act, entitled "An act for the benefit of Boone county," approved January 30, 1871.

By same—

A bill to establish an additional voting place in election district No. 3, in Lyon county.

By Mr. F. A. Wilson, from the same committee—

A bill to authorize the county court of Green county to create and establish an additional voting place in district No. 3, in Green county.

By same—

A bill to amend an act, entitled "An act to incorporate the Henderson Running Park Association," approved March 9, 1868.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Hinklesville, in Ballard county," approved March 6, 1868.

By same—

A bill to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries," so far as it applies to Martin's creek and Hurricane pond or slough, in Daviess county.

By same—

A bill to regulate the terms of the Boyle county quarterly court.

By same—

A bill to amend an act, entitled "An act to require the county courts to have one or more fire-proof vaults for the safe-keeping of the public records in their respective counties."

By same—

A bill to authorize the county court of Trigg county to sell the poor house therein.

By same—

A bill for the benefit of the county and circuit court clerks of Boyd county.

By same—

A bill to authorize the Boone county court to appoint trustees for the Burlington burying-ground, and prescribing their duties.

By Mr. Foote, from the Committee on County Courts—

A bill for the benefit of A. S. Arnold, late sheriff of Hickman county.

By same—

A bill to authorize the county court of Hickman county to raise money to build a new court-house in said county, in the town of Clinton.

By same—

A bill to locate the county seat for Hickman county.

By same—

A bill legalizing orders and proceeding of the Pulaski county court.

By same—

A bill for the benefit of A. McCampbell, late sheriff of Jessamine county.

By same—

A bill to authorize the members of the bar of the Kenton county court to elect a special judge.

By same—

A bill to incorporate the town of Linton, in Trigg county.

By same—

A bill regulating the listing of property for local taxation in Washington county.

By same—

A bill to exempt Pulaski and Clinton counties from the provisions and requirements of an act approved 11th February, 1867.

By same—

A bill to incorporate the Lancaster Benevolent Society.

By same—

A bill to change the time of holding the court of claims of Carter county.

By same—

A bill authorizing the Carter county court to appoint a commissioner and receiver of the funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company.

By same—

A bill to change the time of holding the court of claims in the county of Robertson.

By same—

A bill for the benefit of John S. Mattingly, sheriff of Meade county.

By same—

A bill to authorize the county court of Madison county to sell the stock owned by said county in the Louisville and Nashville Railroad Company, and reinvest the proceeds of the sale.

By same—

A bill for the benefit of Webster county.

By same—

A bill for the benefit of the justices' of the peace in Webster county.

By Mr. Foote, from the same committee—

A bill to amend the charter of Elizabethtown.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Pearce, Wallingford & Co.;

An act to limit the power of the Barren county court in ordering elections for subscription of stock to the Cumberland and Ohio Railroad Company;

An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10, 1869;

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company;

An act to incorporate the Kentucky Commercial and Manufacturing Company;

An act to amend the charter of the city of Maysville;

An act for the benefit of the Central Kentucky Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company;

An act to provide for the preservation of the estates and security of persons of unsound mind, who, by habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to lay off the State into ten Congressional Districts;

An act to incorporate the Louisville Stock and Bond Board;

An act to create the office of county treasurer for Campbell county;

An act to regulate the sale of spirituous, vinous, and malt liquors in Lewisport justices' district, in Hancock county;

An act to amend an act to incorporate the Broadway and Dunkirk Railway Company, approved March 23, 1871;

An act to repeal the 2d, 3d, and 4th sections of an act to amend an act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky, approved February 6, 1871;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

And then the House adjourned.

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## TUESDAY, MARCH 19, 1872.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, of the following title, viz:

Resolution for the benefit of B. E. Woodworth.

That they had disagreed to a bill which originated in the House of Representatives, of the following title, viz:

A act relating to the Lunatic Asylums and other institutions of public charity in the State.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate the terms of the Boyle county quarterly court.

An act for the benefit of Stephen T. Blair and Samuel Blair, of Letcher county.

An act submitting to the qualified voters of Josh Bell county the question of prohibiting the sale of spirituous liquors in said county.

An act to incorporate the Frankfort Commonwealth Printing Company.

An act to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association.

An act to amend the charter of the Smithfield and Shelbyville Turnpike Road Company.

An act for the benefit of John D. Boyes, of Magoffin county.

An act to amend the Eminence and Sulphur Station Turnpike Road Company.

An act to amend the New Castle and Bethlehem Turnpike Road Company.

An act to incorporate the Pendleton Station and Wolf Run Turnpike Road Company.

An act to provide for the construction and completion of turnpike roads in Harrison county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the precinct of Millersburg, Bourbon county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Lincoln county'"

An act to require the clerk of the Lincoln circuit court to make cross-index, and pay him for the same.

An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

An act to incorporate the Good Templars' Joint Stock Company of the town of Monterey, in Owen county.

An act to revise, amend, and reduce into one the acts pertaining to the district of Highlands, in the county of Campbell.

An act to incorporate the Owingsville Cemetery Company.

An act for the benefit of Woodford county.

With amendments to the last five named bills.

That they had adopted resolutions of the following titles, viz:

Resolution directing Public Printer to print synopsis of public acts, &c.

Resolution to print and distribute, in pamphlet form, the general laws passed at the present session of the General Assembly.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to amend chapter 15, title 10, Civil Code of Practice," approved March 16, 1869.

2. An act to amend section 142 of the Civil Code of Practice.

3. An act to amend section 2, chapter 63, article 1, of Revised Statutes, title "Limitation of Action and Suits."

4 An act amending title 5 of the Civil Code of Practice.

5. An act to establish a system of public free schools for the city of Bowling Green.

6. An act to incorporate Brawner's Patent Levee Company.

7. An act to amend an act, entitled "An act for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

8. An act authorizing the clerk of the Boyd circuit court to procure a general cross-index, and to index and cross-index all equity and common law suits of the docket on file in his office.

9. An act to authorize the Mississippi and Ohio Railway Company to take, hold, and convey real estate in the State of Kentucky.

10. An act to amend an act, entitled "An act to amend the laws of evidence in this Commonwealth," approved January 30, 1872.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st, 2d, and 4th to the Committee on Codes of Practice; the 3d and 7th to the Committee on the Revised Statutes; the 5th to the Committee on Education; the 6th to the Committee on Corporate Institutions; the 8th to the Committee on County Courts; the 9th to the Committee on Railroads; and the 10th to the Committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. E. Polk Johnson—

1. A bill to incorporate the Woodside and Glenview Turnpike Road Company.

On motion of Mr. Foote—

2. A bill to require the clerk of Kenton county to make cross-index of deeds and mortgages recorded in Covington office.

*Ordered*, That the Committee on the Revised Statutes prepare and bring in the 1st, and the Committee on County Courts the 2d.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Garnett, from the Committee on the Judiciary—

An act for the benefit of James Rhea Boyd.

By Mr. Graves, from the Committee on Ways and Means—

An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Griffith then moved to reconsider the vote by which the last named bill was passed.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of David Wortham, of Graves county.

An act to incorporate the Louisville Stock and Bond Board.

An act to create the office of treasurer of Campbell county.

An act to repeal the 2d, 3d, and 4th sections of an act to amend an act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky, approved February 6, 1871.

An act to regulate the sale of spirituous, vinous, and malt liquors in Lewisport justices' district, in Hancock county.

An act to lay off the State into ten Congressional Districts.

An act to amend an act to incorporate the Broadway and Dunkirk Railway Company, approved March 23, 1871.

An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties.

An act for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county.

An act for the benefit of school district No. 19, of Hancock county.

An act to amend the charter of the city of Columbus, in Hickman county.

An act to establish an institution of learning in the town of Hardinsville, in Shelby county, to be known as the Lee Academy.

An act to repeal an act passed 10th March, 1854, granting the trustees of the Dover Seminary power to control the public school fund of school district No. 2, in Mason county.

An act to incorporate the Church House for Females and Infirmary for the Sick.

An act changing the time of holding the quarterly courts in the county of Knox.

An act to amend an act, approved December 20, 1871, re-establishing the common pleas court in Hickman county, and to repeal an amendment thereto, approved February 6, 1872.

An act to authorize the trustees of the Hancock Seminary to dispose of a lot of ground in Hancock county.

An act in relation to the sale of spirituous and other liquors in the county of Spencer.

An act for the benefit of the sureties of James B. McWhorter, late sheriff of Taylor county.

An act prohibiting the sale of ardent, malt, vinous, or spirituous liquors in Webster county,

An act to incorporate the Newbergh Railway and Real Estate Company.

An act to regulate the time of holding circuit courts in the fifteenth judicial district.

An act to incorporate the Falls City Association for the Improvement of the Breeds of Stock.

An act to incorporate the Commercial Bank of Lebanon.

An act to amend an act, entitled "An act to charter the Hustonville and McKinney's Station Turnpike Road Company."

An act for the benefit of the sureties of John W. Combs, late sheriff of Woodford county.

An act to amend the charter of the Hanging Fork and Green River Turnpike Road Company.

An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county," approved February 7th, 1870.

An act to amend the charter of the town of Upton.

An act to incorporate the Bear Creek Navigation, Mining, and Manufacturing Company.

An act to establish the Southern Park Association.

An act to establish the Highland Park Corporation.

Resolution directing Auditor to draw his warrant on Treasury for sundry sums of money.

Mr. Waide withdrew his motion heretofore made to reconsider the vote by which this House adopted a resolution, offered by Mr. Corbett, to appoint a committee to make inquiry as to the state and amount of business pending before this General Assembly.

Mr. Bates moved to reconsider the vote by which this House on yesterday rejected a bill, entitled

A bill to change the line between the counties of Metcalfe and Barren.

Said motion was placed in the orders of the day.

Mr. Chrisman moved to suspend the rules and regular order of business to allow the Committee of Ways and Means to report a bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | Bryan S. McClure, |
| Wm. A. Allen, | J. E. Cosson, | William J. McElroy, |
| R. Tarv. Baker, | Joseph M. Davidson, | M. E. McKenzie, |
| W. W. Baldwin, | W. H. Evans, | Wm. Mynhier, |
| W. R. Bates, | M. Woods Ferguson, | J. L. Nall, |
| W. N. Beckham, | James B. Fitzpatrick, | Mat. Nunan, |
| John A. Bell, | C. D. Foote, | Julian N. Phelps, |
| Church H. Blakey, | James Garnett, | Lewis Potter, |
| Wm. F. Bond, | Wm. Cassius Goodloe, | John Rowan, |
| W. B. M. Brooks, | E. A. Graves, | William Sellers, |
| Thomas P. Cardwell, | C. P. Gray, | J. S. Taylor, |
| Robert M. Carlisle, | Wm. A. Hoskins, | George M. Thomas, |
| John S. Carpenter, | George M. Jessee, | Harry I. Todd, |
| George Carter, | E. Polk Johnson, | Joseph T. Tucker, |
| James S. Chrisman, | T. M. Johnson, | E. F. Waide, |
| Josiah H. Combs, | J. S. Lawson, | J. L. Waring, |
| R. D. Cook, | G. W. Little, | J. M. White—52. |
| R. L. Cooper, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | J. A. McCampbell, | C. W. Threlkeld, |
| W. W. Ayers, | J. C. Moorman, | T. W. Varnon, |
| Alpheus W. Bascom, | John W. Ogilvie, | C. H. Webb, |
| J. C. S. Blackburn, | Hiram S. Powell, | Mordecai Williams, |
| J. Guthrie Coke, | E. A. Robertson, | F. A. Wilson, |
| John W. Dyer, | J. P. Sacksteder, | J. N. Woods, |
| Joseph P. Foree, | Samuel M. Sanders, | S. H. Woolfolk, |
| Clinton Griffith, | C. C. Scales, | J. M. Wright—25. |
| T. J. Jones, | | |

And thereupon Mr. Graves, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act to change the time of paying the revenue by sheriffs into the Treasury,

Reported the same without amendment.

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow, at eleven o'clock, A. M.

Bills from the Senate, of the following titles, were reported, with amendments thereto, by the committee to whom they had been referred, viz:

By Mr. Waring, from the Committee on Railroads—

An act to incorporate the Westport, Carrollton, and Ghent Railroad Company.

By same—

An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 22, 1871.

By same—

An act to incorporate the Ohio Valley Railroad Company.

The said proposed amendments were severally adopted.

*Ordered*, That said bills, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Foote, from the Committee on County Courts—

An act to change the time of holding the Estill quarterly court.

By same—

An act to authorize the Casey county court to increase the county levy in said county.

By same—

An act legalizing certain proceedings of the Boone county court.

By same—

An act to extend the time of collecting the fee bills of E. H. Logan, late clerk of the Rowan county and circuit courts.

By same—

An act to authorize the Lawrence county court to levy an ad valorem and per capita tax for county purposes.

By same—

An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth."

By same—

An act legalizing certain proceedings of the Owen county court.

By same—

An act to repeal an act, entitled "An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant."

By same—

An act for the benefit of Dillion Asher, jailer of Josh Bell county.

By same—

An act for the benefit of W. S. Hicks, sheriff of Henderson county, and his sureties.

By Mr. F. A. Wilson, from the same committee—

An act for the benefit of Boone county.

By same—

An act to provide for indexing deed-books in Caldwell county.

By same—

An act to amend an act, entitled "An act to transcribe the surveyors' books and records of Cumberland county.

By same—

An act for the benefit of the county court of Meade county.

By same—

An act requiring the Jefferson county court to appoint a measurer of tan-bark for said county.

By same—

An act to define and locate the county line between the counties of Elliott and Rowan.

By Mr. Waring, from the Committee on Railroads—

An act to amend and explain an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.'"

By same—

An act to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The hour of 10 o'clock, A. M., having arrived, the House, according to order, resumed the consideration of a bill from the Senate, entitled

An act to provide for the location and erection of the Third Lunatic Asylum,

With the amendments proposed thereto.

The substitute, by way of amendment, proposed by Mr. Wright, is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred thousand dollars be appropriated to enlarge the Western Lunatic Asylum at Hopkinsville; also the sum of thirty thousand dollars be appropriated to enlarge the Feeble-minded Institute at Frankfort; and that the Auditor be directed to draw his warrant upon the Treasurer for the above sums for the purposes indicated, to be paid out of any moneys in the Treasury not otherwise appropriated.

§ 2. That the Governor shall appoint three commissioners, who shall, as directed by him, superintend the enlargement of each of the buildings, and report progress to him, at least once every three months, until the work be finished; the statements from the commissioners to be filed in the Secretary's office for reference.

§ 3. That the commissioners so appointed shall see that the buildings be erected with as little delay as possible, and that no inferior materials be used in the construction of said buildings, and that each building shall be erected according to the plans and specifications of the architect, which plans and specifications must have been approved by the Governor and commissioners appointed by him to superintend the carrying out of the same. Said commissioners to employ and make contract or contracts with some suitable builder or builders to erect and complete said buildings, and they shall take covenant in favor of the Commonwealth from such builder or builders, with good and sufficient surety for a faithful compliance with all the terms and stipulations of the contract, to be approved by the Governor. But, before letting the contract, they shall advertise, for at least twenty days, in at least three of the most public newspapers in the State, for proposals for said work, and shall let the contract or contracts to the lowest and best bidder or bidders.

§ 4. That the commissioners are hereby authorized to issue certificates every three months to the Auditor, and after the same has been approved by the Governor, the Auditor shall draw his warrant on the Treasurer: *Provided*, That said certificates shall not exceed seventy-five per cent. for the work actually done.

§ 5 That so soon as the extension of the Feeble-minded Institute at Frankfort be completed, so as to afford room sufficient for the accommodation of one hundred inmates to be comfortably cared for and securely restrained, then the Superintendents of the two Asylum, viz: at Lexington and at Hopkinsville, shall select from their epileptic and demented patients fifty (50) each, and forward

them to the Feeble-minded Institute at Frankfort, to be received by the Superintendent of said Institute and properly cared for.

§ 6. That so soon as the fifty (50) epileptic and demented patients are removed from the two Asylums, the Superintendents of each Asylum shall notify the Governor of their readiness to receive a like number from their respective districts, and the Governor shall make the same known by proclamation.

§ 7. The Governor shall employ an architect, who shall submit plans and specifications for the enlargement of each institution. The draft for the Western Asylum shall be drawn so as to furnish rooms for not less than two hundred (200) lunatics, and the draft for the enlargement of the Feeble-minded Institute shall furnish rooms for one hundred (100).

§ 8. The necessary expenses in removing said epileptic and demented patients to be paid out of any moneys in the Treasury not otherwise appropriated. That the Auditor shall draw his warrant on the Treasurer in favor of the Superintendents of said Eastern and Western Asylums; the accounts shall have first been approved by the Governor.

§ 9. This act shall take effect and be in force from its passage.

Mr. Bascom moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the substitute for the bill and proposed amendments offered by Mr. Wright, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sacksteder and Wright, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Joseph M. Davidson, | E. A. Robertson, |
| Wm. A. Allen, | W. H. Evans, | John Rowan, |
| W. W. Baldwin, | James B. Fitzpatrick, | J. P. Sacksteder, |
| W. R. Bates, | E. A. Graves, | Samuel M. Sanders, |
| W. N. Beckham, | C. P. Gray, | Wm. Sellers, |
| S. C. Bell, | T. M. Johnson, | J. S. Taylor, |
| Church H. Blakey, | J. A. McCampbell, | George M. Thomas, |
| Wm. F. Bond, | Bryan S. McClure, | C. W. Threlkeld, |
| W. B. M. Brooks, | William J. McElroy, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. C. Moorman, | E. F. Waide, |
| John S. Carpenter, | J. L. Nall, | J. M. White, |
| James S. Chrisman, | Mat. Nunan, | J. N. Woods, |
| J. Guthrie Coke, | Julian N. Phelps, | S. H. Woolfolk, |
| R. L. Cooper, | Lewis Potter, | J. M. Wright—42. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | J. E. Cosson, | G. W. Little, |
| W. W. Ayers, | John W. Dyer, | M. E. McKenzie, |
| G. W. Bailey, | M. Woods Ferguson, | Wm. Mynhier, |

| | | |
|---|---|---|
| R. Tarv. Baker, | C. D. Foote, | John W. Ogilvie, |
| Alpheus W. Bascom, | Joseph P. Foree, | Hiram S. Powell, |
| John A. Bell, | Wm. Cassius Goodloe, | John P. Rowlett, |
| J. C. S. Blackburn, | Clinton Griffith, | C. C. Scales, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | Harry I. Todd, |
| George Carter, | George M. Jessee, | T. W. Varnon, |
| C. M. Clay, jr., | E. Polk Johnson, | C. H. Webb, |
| Josiah H. Combs, | T. J. Jones, | Mordecai Williams, |
| R. D. Cook, | L. W. Lassing, | F. A. Wilson—38. |
| Thomas H. Corbett, | J. S. Lawson, | |

Mr. Davidson moved to reconsider the vote by which said amendment was adopted.

The question was then taken on ordering said bill, as amended, to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James Garnett, | John Rowan, |
| Wm. A. Allen, | E. A. Graves, | John P. Rowlett, |
| W. W. Baldwin, | C. P. Gray, | J. P. Sacksteder, |
| W. R. Bates, | E. Polk Johnson, | Samuel M. Sanders, |
| W. N. Beckham, | T. M. Johnson, | Wm. Sellers, |
| S. C. Bell, | J. A. McCampbell, | J. S. Taylor, |
| Church H. Blakey, | Bryan S. McClure, | George M. Thomas, |
| Wm. F. Bond, | Wm. J. McElroy, | C W. Threlkeld, |
| W. B. M. Brooks, | J. C. Moorman, | Joseph T. Tucker, |
| Robert M. Carlisle, | Wm. Mynhier, | E. F. Waide, |
| John S. Carpenter, | J. L. Nall, | J. L. Waring, |
| James S. Chrisman, | Mat. Nunan, | J. M. White, |
| J. Guthrie Coke, | Julian N. Phelps, | J. N. Woods, |
| R. L. Cooper, | Lewis Potter, | S. H. Woolfolk, |
| J. E. Cosson, | Hiram S. Powell, | J. M. Wright—47. |
| W. H. Evans, | E. A. Robertson, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | R. D. Cook, | L. W. Lassing, |
| W. W. Ayers, | Thomas H. Corbett, | J. S. Lawson, |
| G. W. Bailey, | Joseph M. Davidson, | M. E. McKenzie, |
| R. Tarv. Baker, | John W. Dyer, | John W. Ogilvie, |
| Alpheus W. Bascom, | M. Woods Ferguson, | C. C. Scales, |
| John A. Bell, | C. D. Foote, | Harry I. Todd, |
| J. C. S. Blackburn, | Joseph P. Foree, | T. W. Varnon, |
| Thomas P. Cardwell, | Wm. Cassius Goodloe, | C H. Webb, |
| George Carter, | Clinton Griffith, | Mordecai Williams, |
| C. M Clay, jr., | Wm. A. Hoskins, | F. A. Wilson—32. |
| Josiah H. Combs, | T. J. Jones, | |

Said bill, as amended, was read a third time.

The House then took up the motion of Mr. Davidson to reconsider the vote by which the amendment, by way of substitute, offered by Mr. Wright, was adopted.

Mr. Coke moved to lay the motion of Mr. Davidson on the table.

And the question being taken on the motion of Mr. Coke, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Webb, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | E. A. Graves, | E. A. Robertson, |
| Wm. A. Allen, | C. P. Gray, | John Rowan, |
| W. W. Baldwin, | E. Polk Johnson, | J. P. Sacksteder, |
| W. N. Beckham, | T. M. Johnson, | Samuel M. Sanders, |
| S. C. Bell, | J. A. McCampbell, | Wm. Sellers, |
| Church H. Blakey, | Bryan S. McClure, | George M. Thomas, |
| W. B. M. Brooks, | Wm. J. McElroy, | C. W. Turelkeld, |
| Robert M. Carlisle, | J. C. Moorman, | Joseph T. Tucker, |
| John S. Carpenter, | J. L. Nall, | E. F. Waide, |
| James S. Chrisman, | Mat. Nunan, | J. M. White, |
| J. Guthrie Coke, | Julian N. Phelps, | J. N. Woods, |
| R. L. Cooper, | Lewis Potter, | S. H. Woolfolk, |
| James Garnett, | W. L. Reeves, | J. M. Wright—39. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Joseph M. Davidson, | G. W. Little, |
| W. W. Ayers, | John W. Dyer, | John W. Ogilvie, |
| G. W. Bailey, | M. Woods Ferguson, | Hiram S. Powell, |
| R. Tarv. Baker, | C. D. Foote, | C. C. Scales, |
| Alpheus W. Bascom, | Joseph P. Foree, | J. S. Taylor, |
| J. A. Bell, | Wm. Cassius Goodloe, | Harry I. Todd, |
| J. C. S. Blackburn, | Clinton Griffith, | L. W. Trafton, |
| Wm. F. Bond, | Wm. A. Hoskins, | T. W. Varnon, |
| Thomas P. Cardwell, | George M. Jessee, | J. L. Waring, |
| George Carter, | T. J. Jones, | C. H. Webb, |
| Josiah H. Combs, | L. W. Lassing, | Mordecai Williams, |
| Thomas H. Corbett, | J. S. Lawson, | F. A. Wilson—37. |
| J. E. Cosson, | | |

Mr. Reeves then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Corbett then moved to reconsider the vote by which the main question was ordered.

Mr. Graves moved to lay that motion on the table.

The question was then taken on the motion of Mr. Graves, and it was decided in the negative, the vote thereon being equal.

The yeas and nays being required thereon by Messrs. Corbett and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| W. W. Baldwin, | E. A. Graves, | John Rowan, |
| W. R. Bates, | C. P. Gray, | J. P. Sacksteder, |
| W. N. Beckham, | T. M. Johnson, | Samuel M. Sanders, |
| S. C. Bell, | Bryan S. McClure, | William Sellers, |
| Church H. Blakey, | William J. McElroy, | George M. Thomas, |
| Wm. F. Bond, | J. C. Moorman, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. L. Nall, | Joseph T. Tucker, |
| Robert M. Carlisle, | Mat. Nunan, | E. F. Waide, |
| John S. Carpenter, | Julian N. Phelps, | J. M. White, |
| James S. Chrisman, | Lewis Potter, | J. N. Woods, |
| J. Guthrie Coke, | W. L. Reeves, | S. H. Woolfolk, |
| R. L. Cooper, | E. A. Robertson, | J. M. Wright—37. |
| James Garnett, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | G. W. Little, |
| Wm. A. Allen, | M. Woods Ferguson, | M. E. McKenzie, |
| A. C. Armstrong, | James B. Fitzpatrick, | John W. Ogilvie, |
| W. W. Ayers, | C. D. Foote, | Hiram S. Powell, |
| G. W. Bailey, | Joseph P. Foree, | John P. Rowlett, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | C. C. Scales, |
| Alpheus W. Bascom, | Clinton Griffith, | J. S. Taylor, |
| John A. Bell, | Wm. A. Hoskins, | Harry I. Todd, |
| Thomas P. Cardwell, | E. Polk Johnson, | T. W. Varnon, |
| George Carter, | T. J. Jones, | C. H. Webb, |
| Josiah H. Combs, | L. W. Lassing, | Mordecai Williams, |
| Thomas H. Corbett, | J. S. Lawson, | F. A. Wilson—37. |
| Joseph M. Davidson, | | |

The question was then taken on the motion of Mr. Corbett to reconsider the vote by which the main question was ordered, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Coke and Wright, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | J. S. Lawson, |
| Wm. A. Allen, | J. E. Cosson, | G. W. Little, |
| A. C. Armstrong, | Joseph M. Davidson, | M. E. McKenzie, |
| W. W. Ayers, | John W. Dyer, | John W. Ogilvie, |
| G. W. Bailey, | M. Woods Ferguson, | Hiram S. Powell, |
| R. Tarv. Baker, | James B. Fitzpatrick, | John P. Rowlett, |
| Alpheus W. Bascom, | C. D. Foote, | C. C. Scales, |
| John A. Bell, | Joseph P. Foree, | J. S. Taylor, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | Harry I. Todd, |
| Thomas P. Cardwell, | Clinton Griffith, | L. W. Trafton, |
| George Carter, | Wm. A. Hoskins, | T. W. Varnon, |

| | | |
|---|---|---|
| James S. Chrisman, | George M. Jessee, | C. H. Webb, |
| Josiah H. Combs, | T. J. Jones, | Mordecai Williams, |
| R. D. Cook, | L. W. Lassing, | F. A. Wilson—42. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Baldwin, | E. A. Graves, | J. P. Sacksteder, |
| W. N. Beckham, | C. P. Gray, | Samuel M. Sanders, |
| S. C. Bell, | Thos. M. Johnson, | William Sellers, |
| Church H. Blakey, | Bryan S. McClure, | G. M. Thomas, |
| Wm. F. Bond, | Wm. J. McElroy, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. C. Moorman, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. L. Nall, | E. F. Waide, |
| John S. Carpenter, | Julian N. Phelps, | J. L. Waring, |
| C. M. Clay, jr., | Lewis Potter, | J. M. White, |
| J. Guthrie Coke, | W. L. Reeves, | J. N. Woods, |
| R. L. Cooper, | E. A. Robertson, | S. H. Woolfolk, |
| James Garnett, | John Rowan, | J. M. Wright—36. |

Mr. Corbett then moved to postpone the further consideration of said bill and amendments till Friday next, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blakey and Wright, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Thomas H. Corbett, | G. W. Little, |
| W. W. Ayers, | Joseph M. Davidson, | M. E. McKenzie, |
| G. W. Bailey, | John W. Dyer, | Wm. Mynhier, |
| R. Tarv. Baker, | M. Woods Ferguson, | John W. Ogilvie, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | C. C. Scales, |
| John A. Bell, | C. D. Foote, | J. S. Taylor, |
| J. C. S. Blackburn, | Joseph P. Foree, | Harry I. Todd, |
| Thomas P. Cardwell, | Wm. Cassius Goodloe, | L. W. Trafton, |
| George Carter, | Clinton Griffith, | T. W. Varnon, |
| James S. Chrisman, | Wm. A. Hoskins, | C. H. Webb, |
| C. M. Clay, jr., | T. J. Jones, | Mordecai Williams, |
| Josiah H. Combs, | L. W. Lassing, | F. A. Wilson—38. |
| R. D. Cook, | J. S. Lawson, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | E. A. Robertson, |
| Wm. A. Allen, | James Garnett, | John Rowan, |
| W. W. Baldwin, | E. A. Graves, | John P. Rowlett, |
| W. R. Bates, | C. P. Gray, | J. P. Sacksteder, |
| W. N. Beckham, | E. Polk Johnson, | Samuel M. Sanders, |
| S. C. Bell, | Thos. M. Johnson, | Wm. Sellers, |
| Church H. Blakey, | Bryan S. McClure, | George M. Thomas, |
| Wm. F. Bond, | Wm. J. McElroy, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. C. Moorman, | Joseph T. Tucker, |

| | | |
|---|---|---|
| Robert M. Carlisle, | J. L. Nall, | E. F. Waide, |
| John S. Carpenter, | Mat. Nunan, | J. M. White, |
| J. Guthrie Coke, | Julian N. Phelps, | J. N. Woods, |
| R. L. Cooper, | Lewis Potter, | S. H. Woolfolk, |
| J. E. Cosson, | W. L. Reeves, | J. M. Wright—42. |

Mr. Corbett then moved to place said bill in the orders of the day.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Corbett and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Joseph M. Davidson, | G. W. Little, |
| W. W. Ayers, | John W. Dyer, | John W. Ogilvie, |
| G. W. Bailey, | M. Woods Ferguson, | C. C. Scales, |
| R. Tarv. Baker, | C. D. Foote, | J. S. Taylor, |
| Alpheus W. Bascom, | Joseph P. Foree, | Harry I. Todd, |
| John A. Bell, | Wm. Cassius Goodloe, | L. W. Tratton, |
| J. C. S. Blackburn, | Clinton Griffith, | T. W. Varnon, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | C. H. Webb, |
| George Carter, | T. J. Jones, | Mordecai Williams, |
| James S. Chrisman, | L. W. Lassing, | F. A. Wilson, |
| Josiah H. Combs, | J. S. Lawson, | S. H. Woolfolk—34. |
| J. E. Cosson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | Hiram S. Powell, |
| Wm. A. Allen, | James Garnett, | E. A. Robertson, |
| W. W. Baldwin, | E. A. Graves, | John Rowan, |
| W. R. Bates, | C. P. Gray, | John P. Rowlett, |
| W. N. Beckham, | E. Polk Johnson, | J. P. Sacksteder, |
| S. C. Bell, | T. M. Johnson, | Samuel M. Sanders, |
| Church H. Blakey, | Bryan S. McClure, | William Sellers, |
| Wm. F. Bond, | William J. McElroy, | George M. Thomas, |
| W. B. M. Brooks, | M. E. McKenzie, | C. W. Threlkeld, |
| Robert M. Carlisle, | W. A. Morin, | Joseph T. Tucker, |
| John S. Carpenter, | Wm. Mynhier, | E. F. Waide, |
| C. M. Clay, jr., | J. L. Nall, | J. M. White, |
| J. Guthrie Coke, | Mat. Nunan, | J. N. Woods, |
| R. L. Cooper, | Julian N. Phelps, | J. M. Wright—44. |
| Thomas H. Corbett, | Lewis Potter, | |

Mr. Wright then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | E. A. Graves, | John Rowan, |
| W. W. Baldwin, | C. P. Gray, | John P. Rowlett, |

| | | |
|---|---|---|
| W. R. Bates, | E. Polk Johnson, | J. P. Sacksteder, |
| W. N. Beckham, | T. M. Johnson, | Samuel M. Sanders, |
| S. C. Bell, | Bryan S. McClure, | Wm. Sellers, |
| Church H. Blakey, | Wm. J. McElroy, | George M. Thomas, |
| Wm. F. Bond, | M. E. McKenzie, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. C. Moorman, | Joseph T. Tucker, |
| Robert M. Carlisle, | Wm. Mynhier, | E. F. Waide, |
| John S. Carpenter, | Mat. Nunan, | J. L. Waring, |
| J. Guthrie Coke, | Julian N. Phelps, | J. M. White, |
| R. L. Cooper, | Lewis Potter, | J. N. Woods, |
| Thomas H. Corbett, | Hiram S. Powell, | S. H. Woolfolk, |
| W. H. Evans, | W. L. Reeves, | J. M. Wright—44. |
| James Garnett, | E. A. Robertson, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | J. S. Lawson, |
| W. W. Ayers, | Joseph M. Davidson, | G. W. Little, |
| G. W. Bailey, | John W. Dyer, | John W. Ogilvie, |
| R. Tarv. Baker, | M. Woods Ferguson, | C. C. Scales, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | J. S. Taylor, |
| John A. Bell, | C. D. Foote, | Harry I. Todd, |
| J. C. S. Blackburn, | Joseph P. Foree, | L. W. Trafton, |
| Thomas P. Cardwell, | Wm. Cassius Goodloe, | T. W. Varnon, |
| George Carter, | Wm. A. Hoskins, | C. H. Webb, |
| James S. Chrisman, | George M. Jessee, | Mordecai Williams, |
| Josiah H. Combs, | L. W. Lassing, | F. A. Wilson—33. |

And so the main question was ordered.

Mr. Corbett then moved to reconsider the vote by which the main question was ordered.

Mr. Coke moved to lay the motion to reconsider on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | John Rowan, |
| Wm. A. Allen, | James Garnett, | John P. Rowlett, |
| W. W. Baldwin, | E. A. Graves, | J. P. Sacksteder, |
| W. N. Beckham, | C. P. Gray, | Samuel M. Sanders, |
| S. C. Bell, | E. Polk Johnson, | William Sellers, |
| J. C. S. Blackburn, | T. M. Johnson, | George M. Thomas, |
| Church H. Blakey, | G. W. Little, | C. W. Threlkeld, |
| Wm. F. Bond, | Bryan S. McClure, | Joseph T. Tucker, |
| W. B. M. Brooks, | William J. McElroy, | E. F. Waide, |
| Robert M. Carlisle, | J. C. Moorman, | J. L. Waring, |
| John S. Carpenter, | Mat. Nunan, | J. M. White, |
| C. M. Clay, jr., | Lewis Potter, | J. N. Woods, |
| J. Guthrie Coke, | W. L. Reeves, | S. H. Woolfolk, |

R. L. Cooper, E. A. Robertson, J. M. Wright—43.
John W. Dyer,

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | Joseph M. Davidson, | J. L. Nall, |
| G. W. Bailey, | M. Woods Ferguson, | John W. Ogilvie, |
| R. Tarv. Baker, | C. D. Foote, | Julian N. Phelps, |
| Alpheus W. Bascom, | Joseph P. Foree, | Hiram S. Powell, |
| W. R. Bates, | Wm. Cassius Goodloe, | C. C. Scales, |
| John A. Bell, | Clinton Griffith, | J. S. Taylor, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | Harry I. Todd, |
| George Carter, | George M. Jessee, | L. W. Tratton, |
| James S. Chrisman, | T. J. Jones, | T. W. Varnon, |
| R. D. Cook, | L. W. Lassing, | C. H. Webb, |
| Thomas H. Corbett, | J. S. Lawson, | Mordecai Williams, |
| J. E. Cosson, | Wm. Mynhier, | F. A. Wilson—36. |

The further consideration of said bill was cut off by the arrival of the hour for taking a recess.

At three o'clock, P. M., the House again assembled.

On motion of Mr. Todd, the consideration of a bill from the Senate, entitled

An act to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices, in the city of Frankfort,

Was postponed to, and made the special order of the day for, to-morrow, at thirty-five minutes past nine o'clock, A. M.

Mr. Foote, from the majority of the Board selected and constituted to inquire into the matter of contest for a seat on this floor as the duly elected Representative thereto from the county of Crittenden, between Messrs. Hodge and Woods, made the following report, viz:

*To the House of Representatives of the General Assembly of the Commonwealth of Kentucky:*

The undersigned, a majority of your committee selected to determine the contest between J. N. Woods and S. Hodge for a seat in said General Assembly, as the Representative of Crittenden county, respectfully report, that they have, with due circumspection and diligence, heard and examined all of the necessary evidence, and all offered by either party; and after a most laborious and all proper investigation thereof, under the laws of this Commonwealth, report, that, at the election held on the first Monday in August, 1871, being the regular election held in the county of Crittenden for the election of a Representative to represent said county in said General Assembly, that said J. N. Woods received the total number of nine hundred

and thirty-seven (937) votes, and that the said S. Hodge received the total number of nine hundred and seventeen (917) votes. That of the votes so cast for said Woods fifty-eight (58) thereof were illegal and unconstitutional. That of those so cast for said Hodge twelve (12) were illegal and unconstitutional. That after properly deducting said illegal votes, there remains a majority of the votes cast at said election of twenty-five votes in favor of said Hodge. That, in their opinion, said Hodge, in accordance with the Constitution and laws of this Commonwealth, is entitled to receive the oath and the seat in said House of Representatives as the legal Representative for the county of Crittenden. We therefore offer the following resolution:

*Resolved*, That S. Hodge is the legally elected Representative from the county of Crittenden, and as such, is entitled to receive the oath of office and his seat in this House.

CHAS. D FOOTE,
JNO. W DYER,
J. R. SANDERS,
J. S. TAYLOR.

Mr. Reeves, from the minority of said Board, made the following report, viz:

HOUSE OF REPRESENTATIVES OF KENTUCKY.

SINGLETON HODGE, CONTESTANT,
vs.
J. N. WOODS, CONTESTEE.
} Report of Committee.

The undersigned, members of the board selected to investigate the contested election case of Singleton Hodge vs. J. N. Woods, of Crittenden county, submit the following as the result of their investigation:

On Friday, December 8th, 1871, the Speaker of the House of Representatives laid before this body the written notice of Singleton Hodge contesting the seat of J. N. Woods, of Crittenden county, and setting forth the grounds upon which he contested it; and on the same day a board was selected according to law to investigate the case. The sitting member claims that said notice came too late, and that this committee was not selected within the time required by law. The House was organized on Tuesday, the 5th of December, 1871. (Journal of the House, page 11; Cushing's Law and Practice of Parliament, section 277.) The statute under which the committee was selected and organized reads as follows: "When the election of a member of the General Assembly is contested, that branch of the

Legislature to which he belongs, *within three days after its organization, shall*, in like manner, select a board of not more than nine nor less than five of its members, for determining the contest." The first question is, what are the three days within which the board shall be selected?

The well-known common law rule of computing time was to include one day and exclude the other; and this rule is adhered to in some of the earliest decisions of our State Court. (*Woods vs. Patrick*, *Hardin's Rep.*, 457, *decided in* 1808; 2 *A. K. Marshall*, 264; 4 *Mon.*, 464.) The Legislature has adopted substantially the same rule. It is enacted in the Revised Statutes (page 189), that "when a statute requires a notice to be given, or any act to be done, a certain time before any motion or proceeding, there must be that time exclusive of the day for such motion or proceeding. But the day on which such notice is given, or such act is done, may be counted as one day and part of the time." All the authorities, both early and recent, that we have been able to find, lay down this rule, viz: When the computation of time is to be made from an *act done*, the day on which the act was done must be *included;* but when the computation is to be made from the day itself, and not from the *act done*, then the day on which the act was done must be *excluded*. (13 *B. Mon.*, 461; 1 *Met.*, 547; 1*st Duvall*, 387; 1 *Bush*, 473, *and the authorities there cited.*) The language of the 371st section of the Civil Code of Practice, in reference to an application for a new trial, is, that it "must be made at the term the verdict or decision is rendered, * * * and *shall be within three days after the verdict or decision was rendered.*" This language has been construed by the Court of Appeals in 1 Duvall, 387, and 1 Bush, 473; and it is there expressly settled that the day on which the verdict was rendered must be counted, and that the application can be made *only* in the three days of which that is the first. The second clause of section 5 of article 7, chapter 32, of the Revised Statutes, requires, that in case of such offices as that of jailer, the notice of an intention to contest the election shall be *given within ten days after* the final *action* of the board of examiners. In the case of *Batman vs. Megowan, &c.*, 1 *Met.*, 519, where the final action of the examining board was taken on the 6th of the month, and the notice was given on the 16th, the Court of Appeals decided that the 6th was the first of the ten days, and that the 16th is not one of them; and concludes thus: "As, therefore, the notice was not given within the time allowed by the statute, the contesting board acted properly

in refusing to hear the application to contest the election. The applicant has lost the office by the error committed by the examining board and his own failure to proceed within the time prescribed by law for the correction of that error."

The language of the statute here is, within three days after the organization of the House. The organization is the thing or act done; the terminus agreed the computation of the time is to be made; and unless we reverse the whole current of decisions, and establish a new mode of computing time, the day on which the House organized must be taken as the first of the three days in which the committee must be selected. The organization took place on the 5th, and the committee was selected on the 8th of December; which was too late, being outside of the three days.

The delay in selecting the board is the fault of contestant, who failed to send the notice in time. It is in no sense the fault of the House or of any of its officers. The committee was selected as soon as the notice was presented. The authorities above cited show conclusively that the language, "shall within three days," is mandatory and exclusive, and in effect a statute of limitation.

We are aware that the Constitution makes each House the judge of the qualifications of its members; but it further says: "A contested election shall be determined in such manner as shall be directed by law." The laws in reference to contested elections, then, are just as binding as if they were part and parcel of the Constitution; and construing these laws as they have been interpreted by the Court of Appeals, we are bound to conclude that the selection of the board was not made within the three days, and that the failure to proceed within the time allowed by law would be fatal to contestant, even if there were nothing else in the case.

We think the whole course of contestant in prosecuting his contest prior to the 9th of January, 1872, savors of an inexcusable negligence. Not a syllable of proof was taken to sustain his case prior to the convening of the General Assembly. This House was not apprised of his intention to contest the seat of the sitting member until after the expiration of the three days allowed by law for the selection of the contesting board; and after the selection and organization of the board, he not only failed to present any proof to sustain his case, but even failed to appear before the committee, either in person or by attorney, until after the 9th of January; and when he did appear, he, in our judgment, failed to show that he had

used due diligence in preparing his case for trial, or to give any reason for his failure to appear before the committee any sooner, except that he was master commissioner of the Crittenden circuit court, which had been in session, and that he was necessarily detained at home in discharge of his duties as such. And all this while the sitting member was present in person and by attorney urging an investigation, and opposing any delay or any further extension of time for taking proof, contrary to precedent and without good cause shown. The excuse offered for not appearing before the committee sooner, if worth anything, in our opinion, serves but to give additional force to the point made by the sitting member, that it shows contestant to be the holder of an office incompatible with a seat in the Legislature.

Section 27 of article 2 of the Constitution provides, that "no person, while he holds or exercises any office of profit under this Commonwealth, or under the Government of the United States, shall be eligible to the General Assembly, except attorneys at law, justices of the peace, and militia officers: *Provided*, That attorneys for the Commonwealth, who receive a fixed annual salary, shall be ineligible."

The office of master commissioner existed before the adoption of the Constitution, and was not interfered with by the Constitution. The Court of Appeals, in the case of Smith vs. Cochran, have decided this position to be an *office*, and the Commissioner himself to be a *quasi* judicial officer. They, in that case, further decided, that it was not a county or district office, and that the chancellor had no jurisdiction over the office of commissioner, but only a supervisory power over his conduct. The 27th section, quoted above, is very broad. The exceptions expressly made prove that the framers of the Constitution regarded the language, "holds or exercises any office of profit under this Commonwealth," as broad enough to include attorneys at law.

If an attorney at law, who receives his license from two circuit judges, and takes an oath to support the Constitution, is an officer under this Commonwealth, doesn't it follow *a fortiori* that a master commissioner who receives his appointment from one of the same judges, and has to take the same oath taken by the attorney, and, in in addition thereto, an oath to faithfully, and to the best of his ability, discharge the duties of the office of master commissioner, and who has also to execute bond to the Commonwealth for the faithful discharge of his duties as commissioner, &c., is also an officer under

this Commonwealth? If a public officer, who is not a district, county, or municipal officer, is not an officer under this Commonwealth, of what and under what is he an officer? Certainly the office is a public one; certainly it is one of profit, and certainly it is held under and by virtue of the Constitution and laws of this Commonwealth.

But it is claimed that although it is an office held *under the Commonwealth*, it is not an office in the meaning of the Constitution, because the Constitution refers only to such offices as were created by it. This is a gratuitous assumption, unsustained by the language in question or the context of the Constitution, the 26th section of which provides, that "no Senator or Representative shall, during the term for which he was elected, nor for one year thereafter, be appointed or elected to any civil office of profit under this Commonwealth *which shall have been created*, or the emoluments of which shall have been increased, during the said term, except to such offices or appointments as may be filled by the election of the people." The Constitution here recognizes an office created by the Legislature as an office of profit under this Commonwealth, and in the next section provides that the holder of an "office of profit under this Commonwealth" shall be ineligible to a seat in the Legislature. Can any one say that what is expressly called an "office of profit under this Commonwealth" in the 26th section of the Constitution, cannot be one within the meaning of the 27th section thereof?

The word profit is broad enough to include any sort of salary, whether fixed or contingent, paid by the State or by the individuals or parties for whom the service of the officer is rendered; and the use of the terms appointment and election, in the alternative, in connection with an office of profit, shows that such an office may be filled either by an appointment or an election; and the provisions of the Constitution apply equally to all the offices contemplated by it.

But the argument proves too much. If only the offices created by the Constitution are meant, all chancellors and judges of common pleas courts and criminal courts which were established by the Legislature, are eligible. We can think of no reason for making the holders of offices established by the Constitution ineligible, which does not apply with equal force to the master commissioner and the holders of those offices established by the Legislature; and we are forced to conclude that the master commissionership is an "office of profit

under this Commonwealth." If so, contestant is ineligible, and the votes cast for him are illegal and void. (*Revised Statutes, chapter 71, section 6.*)

But entertaining these views in relation to these preliminary questions did not prevent us from giving this case a full investigation upon its merits. We have carefully weighed all the testimony, and do not hesitate to say that the sitting member, Mr. Woods, received a majority of the votes cast. In fact, in our judgment, the majority upon which he received his certificate of election has been increased rather than diminished by the investigation of the case. Contestant attacked seventy-one of the votes given for the sitting member. Of these we think he sustained only ten, not counting those living in disputed boundaries, resulting from a change of precinct lines made by order of the county court.

There are thirty *bona fide* voters living within these disputed boundaries; and the only question made is, not as to their right to vote somewhere, for that is admitted by all, but as to their right to vote at the precinct where most of them had voted for eight or ten years, and where alone the judges of the election decided they could vote. Our view of the law is, that they voted at the right precinct, and that the judges of the election properly admitted their votes. The Constitution requires every voter to vote in his precinct, but the law provides that the courts may *change the precinct lines*. The court cannot allow a man to vote outside of his precinct as a personal privilege, but it can change the boundaries of a precinct so as to include his residence. At one corner of the Union and Marion precincts the lines had several times been so changed as to include in the Marion precinct persons living near the lines; first, those nearest, and then those living a little further out, until finally the court, in 1856, made this order: On motion of Chas. Butler and others, it is ordered, that the line between voting precincts No. 1 and No. 7, of Crittenden county, be, and the same is hereby, so changed as to include the following named persons in district No. 1, to-wit: Charles Butler, Sam. J. Crider, Alfred McDowell, Joseph L. McDowell, William B. Crider, John C. James, and A. T. Crider."

These parties lived on the line of a quasi arc of a circle, extending from one point of the line proposed to be changed to another, and the effect of said order, in our judgment, was to change the line between the two precincts from a straight line to the arc of a circle. In this segment of a circle, of which a line passing through the persons named in the order is the arc, and the original line between

the two precincts is the cord, resided nineteen men who voted for the sitting member. Our view is, that the change of the precinct lines, so as to include the persons named in the order, necessarily included these nineteen persons not named in the order, and that it was not necessary to mention them in the order. The change was understood at the time to include them. From the date of the order those of them who voted at all voted at Marion. The judges of election have invariably ruled that Marion was their voting place; and at the August election a man living in this boundary went to another precinct and tried to vote, and the judges there ruled that Marion was his precinct, and refused his vote. Another one went to Union, in which contestant claims that he resided, and was refused permission to vote. He returned to Marion, where it was decided he could vote, and voted; and now his vote is challenged on the ground that the first was his precinct, and, according to the ruling of a part of the board, his vote is rejected. We cannot consent to do such violence to law and equity, as we understand them. We think the whole nineteen are legal voters and should be counted. But if we are mistaken in supposing the lines were so changed as to include those nineteen not mentioned in the order, certainly we cannot be mistaken in concluding that the order is broad enough to include those expressly named in it, and all who live on the places where they resided when the order was made. The change must attach to the territory, and not to the person; and it would be a singular ruling to include the father and exclude the son living in the same house, or even to exclude those living on the same farm where any of the persons named in the order resided.

If we take from contestant those votes which his own ruling in regard to the precinct lines clearly takes from him, and allow those to vote who resided on the places named in the order, it will still leave the sitting member a clear majority, very little, if any, decreased from that on which he received his certificate.

Wherefore, we recommend the adoption of the following resolution:

*Resolved*, That J. N. Woods, the sitting member, is entitled to his seat in this House.

All of which is respectfully submitted.

W. L. REEVES,
G. W. LITTLE,
JAS. A. McCAMPBELL.

*Ordered*, That the further consideration of said reports be postponed to, and made the special order of the day for, to-morrow, at 10½ o'clock, A. M.

Mr. Foote, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill to increase the pay of the justices of the peace for holding the courts of claims.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Thomas offered an amendment thereto, which was rejected.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Foote, from the Committee on County Courts—

A bill to require the clerk of the Kenton county court to make a cross index of deeds and mortgages recorded at Covington.

By same—

A bill to amend an act, entitled "An act amending the public school laws in the city of Owensboro," passed and approved the present session of the Legislature.

By Mr. Trafton, from the same committee—

A bill authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river.

By same—

A bill authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river.

By Mr. Waring, from the Committee on Railroads—

A bill to amend the charter of the Louisville, Memphis, and New Orleans Railway Company.

By same—

A bill to authorize the city of Henderson to issue bonds for railroad purposes.

By same—

A bill to regulate the running of trains on the Louisville and Nashville Railroad in the town of Elizabethtown.

By same—

A bill to incorporate the Cumberland River and Big Sandy Railroad Company.

By same—

A bill for the benefit of Poplar Mountain Coal Company.

By same—

A bill to incorporate the Atlantic and Ohio River Railway Company.

By same—

A bill to incorporate the Kentucky Southern Railroad Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Foote, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act providing for the election of judges *pro tempore* of the county and quarterly courts of this Commonwealth,

Reported the same without amendment.

Mr. Garnett offered an amendment thereto.

On motion of Mr. Graves, said bill and amendment were recommitted to the Committee on the Judiciary.

Mr. Foote, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act authorizing county judges to call special terms of their courts, and legalizing the proceedings of all special or call terms of said courts,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

Mr. Foote, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act to authorize the Warren county court to submit the question of the adoption of an act amending the law in relation to roads, passed 17th day of February, 1866, to the voters of said county,

Reported the same without amendment.

Mr. Corbett offered an amendment, which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be amended by inserting "and Hickman" after the word "Warren," and the word "counties," instead of "county," as in the Senate title.

Mr. Foote, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act for the benefit of Levi Jackson, presiding judge of the Laurel county court,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, but no quorum voting thereon, said bill was placed in the orders of the day.

Under the resolution offered by Mr. Corbett on yesterday, and adopted by the House, in regard to certain inquiries into the state of the business before this General Assembly, the Speaker appointed the following committee, viz: Messrs. Corbett, Jessee, Powell, Foote, and Davidson.

Mr. Trafton, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill to amend chapter 39, Revised Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be recommitted to the Committee on the Judiciary.

The House then took up the amendment proposed by the Senate, to a bill which originated in this House, entitled

An act for the benefit of Woodford county.

Said amendment was concurred in.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Bank of Owen;

An act to incorporate the Bank of Uniontown;

An act to incorporate the Deposit Bank of Carrollton;

An act to incorporate the Uniontown Deposit Bank;

An act to incorporate the Louisville and Brownsboro Railway Company;

An act to amend the charter of the Louisville City Railway Company;

An act to amend an act, entitled "An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4, 1872;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Farmers' Bank of Kentucky;

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties;

An act for the benefit of the New Liberty Branch Turnpike Road Company, in Owen county;

An act for the benefit of Joseph Gardner, of Magoffin county;

An act for the benefit of the Georgetown, Oxford, and Leestown Turnpike Road Company;

An act for the benefit of the Chilesburg and Clintonville Turnpike Road Company;

An act to incorporate the Boone Bridge Company;

An act to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating Sherburn Bridge Company,'" approved March 14, 1871;

An act to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company;

An act to amend an act, entitled "An act to incorporate the Covington Street Railway Company;"

An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," approved January 30, 1872;

An act to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company," approved March 6, 1850;

An act to amend the charter of the Stanford and Milledgeville Turnpike Road Company;

An act to amend the charter of the Glasgow Railroad Company;

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

And then the House adjourned.

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## WEDNESDAY, MARCH 20, 1872.

Mr. Reeves presented the petition of citizens of Haydensville district, Todd county, praying the passage of an act prohibiting the sale of intoxicating liquors in said district.

Which was received, the reading dispensed with, and referred to the Committee on Religion.

Mr. Johnson moved to reconsider the vote by which this House on yesterday passed a bill, entitled

A bill to increase the pay of the justices of the peace for holding the courts of claims.

Mr. McElroy moved to reconsider the votes by which this House on yesterday passed bills of the following titles, viz:

A bill authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river.

A bill authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river.

On motion of Mr. Corbett, the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the New Castle and Gray Farm Turnpike Road Company,

Was referred to the Committee on Internal Improvement.

The Speaker laid before the House the following, viz:

WHEREAS, There is now pending before the Legislature of the Commonwealth of Kentucky a bill to amend the charter of the city of Lexington; and whereas, we are informed by the ablest and most prominent members of the legal profession of our city that the proposed amendment is constitutional; and whereas, we are fully persuaded that the passage of said amendment is imperatively demanded by our best interests, necessary to save our city from ruin, and is called for by a vast majority of the white citizens, and by all who have at heart the true interest and welfare of our city; and whereas, we have full faith in the ability and integrity of our present municipal government; therefore,

*Resolved*, That we, the citizens of Lexington, respectfully but earnestly request of the Legislature, as an act of right, justice, and imperative necessity, the passage of the amendment to our city charter now before that body; and be it

*Resolved*, That the Chairman of this meeting, and such other citizens as he may appoint, are hereby appointed a committee to visit the Capital, and urge upon the Legislature the importance of the passage of said amendment.

C. D. CARR, *Chairman.*

S. D. MCCULLAGH, *Secretary.*

*Ordered*, That the same be referred to the Committee on Revised Statutes.

On motion of Mr. Carlisle, leave was given to bring in a bill to amend the charter of the city of Ludlow.

*Ordered*, That the Committee on County Courts prepare and bring in the same.

Mr. Todd offered the following resolution, viz:

*Resolved*, That the use of the Hall of the House of Representatives be, and is hereby, tendered to the Grand Commandery of Knights Templar of Kentucky, for the purpose of holding their annual conclave in June next.

Which was adopted.

Mr. Corbett, from a select committee, who were directed to prepare and bring in the same, reported

A bill to appoint and provide for the payment of the expenses of a commission to the International Congress which is to meet in London on the 3d day of July, 1872.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That the further consideration of the same be postponed to, and made the special order of the day for, Friday next, at ten o'clock, A. M.

Mr. Waide moved to postpone to, and make the special order of the day for, to-morrow, at a quarter before ten o'clock, A. M., the bill pending, entitled

An act to change the time of paying the revenue by sheriffs into the Treasury.

And the question being taken thereon, it was decided in the negative, not having received the requisite number of votes.

The yeas and nays being required thereon by Messrs. Reeves and Griffith, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Josiah H. Combs, | Bryan S. McClure, |
| G. W. Bailey, | R. D. Cook, | Wm. J. McElroy, |
| J. A. Bell, | J. E. Cosson, | Mat. Nunan, |
| S. C. Bell, | W. H. Evans, | Wm. Sellers, |
| Church H. Blakey, | James Garnett, | George M. Thomas, |
| Wm. F. Bond, | E. A. Graves, | T. W. Varnon, |
| Thomas P. Cardwell, | C. P. Gray, | E. F. Waide, |
| John S. Carpenter, | Wm. A. Hoskins, | J. L. Waring, |
| B. E. Cassilly, | T. M. Johnson, | S. H. Woolfolk, |
| James S. Chrisman, | J. A. McCampbell, | J. M. Wright—31. |
| J. Guthrie Coke, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. D. Foote, | E. A. Robertson, |
| Wm. A. Allen, | Joseph P. Foree, | John Rowan, |
| W. W. Ayers, | Wm. Cassius Goodloe, | John P. Rowlett, |
| R. Tarv. Baker, | Clinton Griffith, | J. R. Sanders, |
| Alpheus W. Bascom, | E. Polk Johnson, | Samuel M. Sanders, |
| W. R. Bates, | T. J. Jones, | C. C. Scales, |
| W. N. Beckham, | L. W. Lassing, | J. S. Taylor, |
| J. C. S. Blackburn, | J. S. Lawson, | C. W. Threlkeld, |
| W. B. M. Brooks, | G. W. Little, | Harry I. Todd, |
| Robert M. Carlisle, | M. E. McKenzie, | L. W. Trafton, |
| R. L. Cooper, | T. J. Megibben, | Joseph T. Tucker, |
| Thomas H. Corbett, | J. L. Nall, | C. H. Webb, |
| Joseph M. Davidson, | John W. Ogilvie, | J. M. White, |
| John W. Dyer, | Julian N. Phelps, | J. N. Woods—44. |
| M. Woods Ferguson, | W. L. Reeves, | |

On motion of Mr. Graves, said bill was made the special order for Friday next, at 10½ o'clock, A. M.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

An act for the benefit of the Kentucky Central Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to incorporate the Mattingly Coal Company.

An act regulating the terms of the McCracken circuit court, and transfer of certain cases therein to the McCracken court of common pleas.

An act to regulate the terms and business of the McCracken court of common pleas.

An act to incorporate the Shippers' Tobacco Bank.

An act to incorporate the Greensburg Deposit Bank.

An act to amend the 28th section of chapter 103, of the Revised Statutes, title "Turnpike and Plank Roads."

An act to change the terms and regulate the business of the Graves circuit court.

An act to repeal an act concerning public books, and providing for the supply of destitute counties.

An act to authorize the judge of the Warren circuit court to sign the records of said court made on the 5th day of March, 1870.

An act authorizing an additional examiner in the town of Ashland, in Boyd county.

An act to incorporate the Maysville Building and Savings Association.

An act for the benefit of school district No. 2, in Menifee county.

An act to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25, 1865.

An act to incorporate the West Liberty and Cross Roads Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10, 1869.

An act for the benefit of Pearce, Wallingford & Co.

An act to amend the charter of the city of Maysville.

An act to incorporate the Kentucky Commercial and Manufacturing Company.

An act to limit the power of the Barren county court in ordering elections for subscription of stock to the Cumberland and Ohio Railroad Company.

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to provide for the preservation of the estates and security of persons of unsound mind, who, by habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion.

Resolutions in regard to the navigation of the Ohio and other Western rivers.

That they had disagreed to bills which originated in the House of Representatives, of the following titles, viz:

An act regulating defenses in actions of trespass in Carroll and Trimble counties.

An act to charter the Winchester Odd Fellows' and Masonic Temple Company.

An act to provide for the submission to the voters of Ballard county the question of the annexation of a portion of Ballard to Hickman county.

An act to legalize certain orders of the Clinton county court.

An act repealing parts of an act relating to the advertisement of land sales in Owen county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act concerning the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receivers of the Louisville chancery court.

An act for the benefit of James Turner, late sheriff of Perry county.

An act to amend the charter of the Paducah Gas-light Company.

An act for the benefit of Henry C. Lucas, of Russell county.

An act for the benefit of the Sulphur Well Branch of the Nicholasville and Kentucky River Turnpike Road Company.

An act to amend the charter of the Cloverport and Hardinsburg Turnpike Road Company, in Breckinridge county.

An act to incorporate the Harrodsburg and Chaplin River Turnpike Road Company.

An act to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company.

An act to incorporate the Steele's Turnpike Road Company.

An act to incorporate the Paducah and Hinklesville Gravel Road Company.

An act to incorporate the Paducah and Mayfield Gravel Road Company.

An act for the benefit of the citizens of Garrard county.

An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company.

An act to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

An act to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company.

An act to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county.

An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

An act to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county.

An act for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

An act for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county.

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

An act to charter the Lockport and Bethlehem Turnpike Road Company.

An act to incorporate the Bardstown and Fairfield Turnpike Road Company.

An act to legalize the judgments and orders of Greenup county quarterly court at its March term, 1869.

An act changing the time of holding the February term of the Franklin circuit court.

An act to amend the charter and laws of the town of Belleview, in Campbell county.

An act for the benefit of Winchester Lodge, No. 20, A. Y. F. and A. Masons.

An act for the benefit of Clark county.

An act to amend the charter of the Lowell and Spoonsville Turnpike Road Company, approved February 1, 1868.

An act for the benefit of turnpike roads in Scott county.

An act to regulate the running of ferries and ferry rates in the city of Covington.

An act for the benefit of the estate of, and infant heirs of, Harvey Usher, late of Ballard county.

An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads.

An act to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road.

An act for the benefit of the Louisville Industrial Exposition.

An act to authorize the school commissioner of Hardin county to sell the property known as the Hardin County Male Seminary.

An act to legalize and render valid the actions of the Garrard county court.

An act to amend the charter of Elizabethtown.

An act for the benefit of Kenton county.

An act for the benefit of Samuel Sublett, of Woodford county.

An act for the benefit of Maggie G. Roberts, of Montgomery county.

An act in aid of the construction of a levee on the Mississippi river, in Fulton county.

An act to charter the Deposit Bank of Mt. Sterling.

An act to provide for voting by ballot in the election of Representatives in Congress.

With amendments to the last four named bills.

And that they had passed bills of the following titles, viz:

1. An act to increase the jurisdiction of the justices of the peace, and of the judge of the quarterly court of Bracken and other counties.

2. An act to provide for the organization and regulation of banking companies, and to repeal various charters.

3. An act to amend chapter 84, article 1, "Public Roads," of the Revised Statutes.

4. An act for the benefit of school district No. 1, of Ohio county.

5. An act to light up railroad tunnels in this Commonwealth.

6. An act for the benefit of John W. Green, late sheriff of Owen county.

7. An act to promote public service in the Auditor's office.

8. An act to incorporate and aid the Union Literary Society of the Agricultural and Mechanical College of Kentucky.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 3d to the Committee on Revised Statutes; the 2d to the Committee on Banks; the 4th to the Committee on Education; the 5th to the Committee on Railroads; the 6th to the Committee on Ways and Means; the 7th to the Committee on Public Offices; and the 8th to the Committee on the Library.

Mr. Blackburn, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company,

Reported the same with an amendment thereto, which was adopted.

Said amendment is as follows, viz:

Add to 2d section: *Provided*, That nothing in this act contained shall be construed so as to authorize the said railroad company to discontinue the operation of any portion of the line of railroad between Louisville and Lexington now used by said railroad company.

*Ordered*, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Louisville, Cincinnati, and Lexington Railroad Company, by virtue of the power and authority heretofore granted to construct branches and extensions of its lines of railroad in this State, be, and is hereby, authorized and empowered to issue additional stock of said company, to an amount not exceeding twenty-five thousand dollars per mile, of any additional railroad acquired or constructed, or in the course of construction, and to issue and sell additional coupon bonds, having not more than thirty years to run, and bearing a rate of interest not exceeding eight per centum per annum, to an extent of not exceeding twenty-five thousand dollars per mile for such roads so acquired or constructed, or in the course of construction, and may secure payment of such bonds by a mortgage lien on such roads so acquired or constructed, and on such other property and franchises of said company as such mortgage lien shall embrace, which shall be a first lien on any extensions or branch roads so constructed, and a first lien on roads so acquired, subject only to such liens as may exist on such roads prior to such acquisitions, but not subject to existing mortgage liens of said company on its present property and franchises.

§ 2. Said company shall have power and authority to sell or dispose of such additional stock so authorized, to the counties through which such extensions or branches shall extend, or to other persons or parties, on such terms and conditions, and at such prices, as they shall agree, and as a majority in interest of all the stockholders in

said company shall authorize or approve, and to dispose of, sell, pledge, or hypothecate such bonds so herein authorized, on terms and conditions, in such manner, and at such price, as a majority of the board of directors of said company shall authorize or approve: *Provided*, That nothing in this act contained shall be construed so as to authorize the said railroad company to discontinue the operation of any portion of the line of railroad between Louisville and Lexington now used by said railroad company.

§ 3. The provisions in the charter and laws of said company concerning the qualifications of directors therein be, and they are hereby, so amended, as that any person owning and holding ten shares of the capital stock of said company, at the time he shall offer to qualify, after being duly elected, shall be deemed eligible as director in said company.

§ 4. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. T. M. Johnson and McClure, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | John W. Ogilvie, |
| Wm. A. Allen, | J. E. Cosson, | Julian N. Phelps, |
| George W. Anderson, | Joseph M. Davidson, | Hiram S. Powell, |
| A. C. Armstrong, | John W. Dyer, | W. L. Reeves, |
| W. W. Ayers, | W. H. Evans, | E. A. Robertson, |
| G. W. Bailey, | M. Woods Ferguson, | John Rowan, |
| R. Tarv. Baker, | C. D. Foote, | John P. Rowlett, |
| W. W. Baldwin, | Joseph P. Foree, | Samuel M. Sanders, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. R. Bates, | E. A. Graves, | Wm. Sellers, |
| W. N. Beckham, | C. P. Gray, | J. S. Taylor, |
| John A. Bell, | Wm. A. Hoskins, | George M. Thomas, |
| S. C. Bell, | George M. Jessee, | C. W. Threlkeld, |
| J. C. S. Blackburn, | E. Polk Johnson, | Harry I. Todd, |
| Church H. Blakey, | T. J. Jones, | L. W. Tratton, |
| Wm. F. Bond, | L. W. Lassing, | Joseph T. Tucker, |
| W. B. M. Brooks, | J. S. Lawson, | T. W. Varnon, |
| Thomas P. Cardwell, | G. W. Little, | E. F. Waide, |
| Robert M. Carlisle, | J. A. McCampbell, | J. L. Waring, |
| John S. Carpenter, | William J. McElroy, | J. M. White, |
| George Carter, | M. E. McKenzie, | Mordecai Williams, |
| B. E. Cassilly, | T. J. Megibben, | F. A. Wilson, |
| C. M. Clay, jr., | J. C. Moorman, | J. N. Woods, |
| J. Guthrie Coke, | J. L. Nall, | S. H. Woolfolk, |
| R. D. Cook, | Mat. Nunan, | J. M. Wright—75. |
| R. L. Cooper, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| James Garnett, | T. M. Johnson, | Bryan S. McClure—3. |

*Resolved*, That the title of said bill be as aforesaid.

According to order, the House took up for further consideration a bill, entitled

A bill to provide for the improvement of Tradewater river,

And the amendments proposed thereto.

The amendment proposed by Mr. Rowlett is as follows, viz:

Add to said bill: The provisions of this bill shall apply to the counties of Edmonson, Hart, and Green; the same number of commissioners are to be appointed by the respective county courts; and two locks constructed on Green river.

The amendment to the amendment proposed by Mr. Chrisman is as follows, viz:

Add additional section: That the revenue of Wayne county for the years 1872 and 1873 be, and they are hereby, appropriated to open and improve the navigation of the Little South Fork of Cumberland river, from Parmleysville to the mouth of the same; and the Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasurer of the State for said sum; and, to carry out the object of this appropriation, Preston Rice and Jonathan Burnett are hereby appointed commissioners to execute the same.

The amendment to the amendment was then rejected.

The amendment offered by Mr. Rowlett was also rejected.

*Ordered*, That said bill be engrossed and read a third time.

Said bill, being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of improving the navigation of Tradewater river by the construction of locks and dams therein, there is hereby appropriated the State revenue proper to become due from the counties of Union, Crittenden, Webster, Hopkins, and Caldwell, for the years 1872 and 1873.

§ 2. That John W. Dyer, of the county of Union; George W. Bailey, of the county of Webster; Geo. Towney, of the county of Crittenden; S. H. Woolfolk, of the county of Hopkins; and F. W. Darby, of the county of Caldwell; be, and they are hereby, appointed commissioners to carry out the purposes of this act; and they shall have the right to receive from the sheriffs of said counties of Union, Webster, Crittenden, Hopkins, and Caldwell the said revenue for the years aforesaid; and it shall be the duty of the sheriffs of said counties to pay over to said commissioners, or their successors, the said revenue of said counties for said years, at the same times as is or may be required by law for the payment of such revenue into the State Treasury; and the receipts of said commissioners shall be vouchers for the said sheriffs in their settlement with the Auditor.

§ 3. The said commissioners, before they shall be entitled to receive said fund, shall execute bond to the Commonwealth of Ken-

tucky, with surety to be approved by the Governor, conditioned for the faithful discharge of all their duties under this act, upon which bond recoveries may be had for the breach thereof.

§ 4 The said commissioners may cause surveys and estimates to be made preparatory to putting in said locks and dams; and shall, as soon as practicable, cause three locks and dams, at suitable places, and of suitable dimensions, to be put in said river, in such manner as may be best for the improvement of the navigation thereof. They may let the building of said locks and dams, or any part thereof, to suitable contractors, specifying the manner of the construction of same, the time in which to be completed, &c.; and shall take bond of such contractors, with good surety to the Commonwealth of Kentucky, conditioned for the faithful and proper completion of the work so let, upon which bond recoveries may be had for any breach thereof.

§ 5. Should any of the commissioners named in this act, from any cause, fail or refuse to qualify, the county court of the county of the residence of such commissioner shall appoint some suitable person in his stead, who shall have all the powers, and discharge all the duties of a commissioner under the provisions of this act; and should a vacancy occur, it shall be filled in like manner.

§ 6. The said commissioners shall every six months report to the Governor of this Commonwealth their doings under this act, and shall have a reasonable compensation for their services.

§ 7. The said locks and dams shall be the property of the State of Kentucky, and shall be managed and controlled by such agents, and in such manner, as this General Assembly may prescribe.

§ 8. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dyer and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| G. W. Bailey, | C. D. Foote, | Joseph T. Tucker, |
| Alpheus W. Bascom, | Clinton Griffith, | T. W. Varnon, |
| George Carter, | George M. Jessee, | E. F. Waide, |
| B. E. Cassilly, | E. Polk Johnson, | J. L. Waring, |
| J. Guthrie Coke, | M. E. McKenzie, | C. H. Webb, |
| Thomas H. Corbett, | T. J. Megibben, | Mordecai Williams, |
| Joseph M. Davidson, | John W. Ogilvie, | F. A. Wilson, |
| John W. Dyer, | J. S. Taylor, | J. N. Woods, |
| M. Woods Ferguson, | Harry I. Todd, | S. H. Woolfolk, |
| James B. Fitzpatrick, | L. W. Trafton, | J. M. Wright—30. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. M. Clay, jr., | Wm. J. McElroy, |
| Wm. A. Allen, | Josiah H. Combs, | J. C. Moorman, |
| George W. Anderson, | R. L. Cooper, | J. L. Nall, |
| A. C. Armstrong, | J. E. Cosson, | Mat. Nunan, |

| | | |
|---|---|---|
| W. W. Ayers, | W. W. Deaderick, | Julian N. Phelps, |
| W. W. Baldwin, | W. H. Evans, | W. L. Reeves, |
| W. N. Beckham, | James Garnett, | E. A. Robertson, |
| John A. Bell, | E. A. Graves, | John Rowan, |
| S. C. Bell, | C. P. Gray, | John P. Rowlett, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | J. R. Sanders, |
| Church H. Blakey, | Thos. M. Johnson, | Samuel M. Sanders, |
| Wm. F. Bond, | T. J. Jones, | C. C. Scales, |
| W. B. M. Brooks, | J. S. Lawson, | William Sellers, |
| Robert M. Carlisle, | G. W. Little, | G. M. Thomas, |
| John S. Carpenter, | J. A. McCampbell, | C. W. Threlkeld, |
| James S. Chrisman, | Bryan S. McClure, | J. M. White--48. |

And so said bill was rejected.

According to order, the House took up for further consideration a bill from the Senate, entitled

An act to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices, in the city of Frankfort.

Mr. Graves offered an amendment to said bill.

Mr. Scales offered an amendment to the proposed amendment, which was rejected.

Mr. Graves then withdrew his amendment.

Mr. Blakey offered the following amendment, viz:

Strike from 2d line of 1st section of printed bill the word "sixty," and insert in lieu thereof the words "forty-five."

The question was then taken on the adoption of the amendment proposed by Mr. Blakey, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James Garnett, | J. C. Moorman, |
| A. C. Armstrong, | E. A. Graves, | Julian N. Phelps, |
| G. W. Bailey, | C. P. Gray, | W. L. Reeves, |
| W. N. Beckham, | Clinton Griffith, | E. A. Robertson, |
| Church H. Blakey, | Wm. A. Hoskins, | John Rowan, |
| Wm. F. Bond, | T. M. Johnson, | J. S. Taylor, |
| Robert M. Carlisle, | J. A. McCampbell, | George M. Thomas, |
| James S. Chrisman, | William J. McElroy, | C. W. Threlkeld, |
| C. M. Clay, jr., | M. E. McKenzie, | J. N. Woods—28. |
| J. E. Cosson, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | John W. Ogilvie, |
| George W. Anderson, | Thomas H. Corbett, | Hiram S. Powell, |
| W. W. Ayers, | Joseph M. Davidson, | John P. Rowlett, |
| R. Tarv. Baker, | John W. Dyer, | Samuel M. Sanders, |

| | | |
|---|---|---|
| W. W. Baldwin, | W. H. Evans, | C. C. Scales, |
| Alpheus W. Bascom, | M. Woods Ferguson, | William Sellers, |
| W. R. Bates, | James B. Fitzpatrick, | Harry I. Todd, |
| John A. Bell, | C. D. Foote, | L. W. Trafton, |
| S. C. Bell, | Wm. Cassius Goodloe, | Joseph T. Tucker, |
| J. C. S. Blackburn, | E. Polk Johnson, | T. W. Varnon, |
| W. B. M. Brooks, | T. J. Jones, | E. F. Waide, |
| Thomas P. Cardwell, | L. W. Lassing, | J. L. Waring, |
| John S. Carpenter, | J. S. Lawson, | J. M. White, |
| George Carter, | G. W. Little, | Mordecai Williams, |
| B. E. Cassilly, | Bryan S. McClure, | F. A. Wilson, |
| J. Guthrie Coke, | J. L. Nall, | S. H. Woolfolk, |
| Josiah H. Combs, | Mat. Nunan, | J. M. Wright—52. |
| R. D. Cook, | | |

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of sixty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid in current funds, for the purpose of completing all of the unfinished apartments in the building known as the Fire-proof Offices in the city of Frankfort.

§ 2. The sum of money hereby appropriated, or such less sum as shall be necessary to accomplish the objects herein contemplated, shall be expended by the Governor and two Commissioners, to be appointed by the Governor and confirmed by the Senate, who shall make such contracts, or cause such work to be done, as shall be necessary to complete all of the unfinished apartments in said building: *Provided*, That the Governor shall have power and authority to fill any vacancy which may occur in said commission.

§ 3. That all certificates for work done under provisions of this act, to the Auditor, for his warrant upon the Treasurer, shall be signed by the Governor.

§ 4. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Josiah H. Combs, | T. J. Megibben, |
| R. Tarv. Baker, | R. D. Cook, | J. L. Nall, |
| W. W. Baldwin, | R. L. Cooper, | Mat. Nunan, |
| Alpheus W. Bascom, | Thomas H. Corbett, | John W. Ogilvie, |
| John A. Bell, | Joseph M. Davidson, | C. C. Scales, |
| J. C. S. Blackburn, | John W. Dyer, | Harry I. Todd, |
| Wm. F. Bond, | M. Woods Ferguson, | L. W. Trafton, |
| W. B. M. Brooks, | James B. Fitzpatrick, | T. W. Varnon, |

| | | |
|---|---|---|
| Thomas P. Cardwell, | C. D. Foote, | E. F. Waide, |
| John S. Carpenter, | Wm. Cassius Goodloe, | J. L. Waring, |
| George Carter, | Wm. A. Hoskins, | J. M. White, |
| B. E. Cassilly, | George M. Jessee, | Mordecai Williams, |
| C. M. Clay, jr., | E. Polk Johnson, | J. M. Wright—41. |
| J. Guthrie Coke, | T. J. Jones, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | James Garnett, | Julian N. Phelps, |
| Wm. A. Allen, | E. A. Graves, | Hiram S. Powell, |
| A. C. Armstrong, | C. P. Gray, | W. L. Reeves, |
| W. W. Ayers, | Clinton Griffith, | E. A. Robertson, |
| G. W. Bailey, | Thos. M. Johnson, | John Rowan, |
| W. R. Bates, | L. W. Lassing, | John P. Rowlett, |
| W. N. Beckham, | J. S. Lawson, | Samuel M. Sanders, |
| S. C. Bell, | G. W. Little, | J. S. Taylor, |
| Church H. Blakey, | J. A. McCampbell, | George M. Thomas, |
| Robert M. Carlisle, | Bryan S. McClure, | C. W. Threlkeld, |
| James S. Chrisman, | Wm. J. McElroy, | F. A. Wilson, |
| J. E. Cosson, | M. E. McKenzie, | J. N. Woods, |
| W. H. Evans, | J. C. Moorman, | S. H. Woolfolk—40. |
| Joseph P. Foree, | | |

And so said bill was disagreed to.

Mr. Foree then moved to reconsider the vote by which said bill was disagreed to.

According to order, the House took up, and resumed the further consideration of, a bill, entitled

A bill to provide for a geological and mineralogical survey of the State.

Mr. Goodloe offered the following amendment thereto, viz:

Add to said bill: If the Governor shall think best to do so, said Board of Geological Survey shall be created under the auspices of Kentucky University; and the Governor be, and he is hereby, empowered to make such arrangements with the officers of said University as will, in his judgment, best promote the objects to be attained by the provisions of this act.

Mr. Thomas then moved to lay the bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Webb, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Thomas H. Corbett, | E. A. Robertson, |
| W. W. Ayers, | J. E. Cosson, | John Rowan, |
| S. C. Bell, | W. W. Deaderick, | J. S. Taylor, |

| | | |
|---|---|---|
| Church H. Blakey, | W. H. Evans, | George M. Thomas, |
| W. B. M Brooks, | C. P. Gray, | C. W. Threlkeld, |
| James S. Chrisman, | Bryan S. McClure, | J. M. White—20. |
| Josiah H. Combs, | Julian N. Phelps, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | J. C. Moorman, |
| George W. Anderson, | Joseph M. Davidson, | Mat. Nunan, |
| A. C. Armstrong, | John W. Dyer, | W. L. Reeves, |
| G. W. Bailey, | M. Woods Ferguson, | John P. Rowlett, |
| R. Tarv. Baker, | James B. Fitzpatrick, | J. R. Sanders, |
| W. W. Baldwin, | C. D. Foote, | Samuel M. Sanders, |
| Alpheus W. Bascom, | Joseph P. Foree, | C. C. Scales, |
| W. R. Bates, | James Garnett, | William Sellers, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Harry I. Todd, |
| John A. Bell, | E. A. Graves, | L. W. Tratton, |
| J. C. S. Blackburn, | Clinton Griffith, | Joseph T. Tucker, |
| Wm. F. Bond, | Wm. A. Hoskins, | T. W. Varnon, |
| Thomas P. Cardwell, | E. Polk Johnson, | E. F. Waide, |
| Robert M. Carlisle, | J. S. Lawson, | J. L. Waring, |
| John S. Carpenter, | G. W. Little, | C. H. Webb, |
| George Carter, | J. A. McCampbell, | Mordecai Williams, |
| B. E. Cassilly, | William J. McElroy, | J. N. Woods, |
| C. M. Clay, jr., | M. E. McKenzie, | S. H. Woolfolk, |
| J. Guthrie Coke, | T. J. Megibben, | J. M. Wright—58. |
| R. D. Cook, | | |

The question was then taken on the adoption of the amendment proposed by Mr. Goodloe, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goodloe and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Josiah H. Combs, | John Rowan, |
| Wm. A. Allen, | R. D. Cook, | John P. Rowlett, |
| G. W. Bailey, | Thomas H. Corbett, | J. R. Sanders, |
| Alpheus W. Bascom, | W. W. Deaderick, | C. C. Scales, |
| John A. Bell, | W. H. Evans, | Wm. Sellers, |
| J. C. S. Blackburn, | C. D. Foote, | George M. Thomas, |
| Church H. Blakey, | Wm. Cassius Goodloe, | Harry I. Todd, |
| Wm. F. Bond, | Wm. A. Hoskins, | Joseph T. Tucker, |
| W. B. M. Brooks, | J. A. McCampbell, | J. M. White, |
| Robert M. Carlisle, | Mat. Nunan, | J. N. Woods, |
| John S. Carpenter, | Julian N. Phelps, | S. H. Woolfolk, |
| George Carter, | Hiram S. Powell, | J. M. Wright—37. |
| B. E. Cassilly, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| George W. Anderson, | M. Woods Ferguson, | T. J. Megibben, |
| A. C. Armstrong, | James B. Fitzpatrick, | J. C. Moorman, |
| W. W. Ayers, | James Garnett, | W. L. Reeves, |
| W. W. Baldwin, | E. A. Graves, | E. A. Robertson, |

| | | |
|---|---|---|
| W. R. Bates, | C. P. Gray, | Samuel M. Sanders, |
| S. C. Bell, | Clinton Griffith, | J. S. Taylor, |
| Thomas P. Cardwell, | E. Polk Johnson, | C. W. Threlkeld, |
| James S. Chrisman, | T. M. Johnson, | L. W. Trafton, |
| C. M. Clay, jr., | J. S. Lawson, | T. W. Varnon, |
| J. Guthrie Coke, | G. W. Little, | E. F. Waide, |
| R. L. Cooper, | Bryan S. McClure, | J. L. Waring, |
| J. E. Cosson, | Wm. J. McElroy, | Mordecai Williams, |
| Joseph M. Davidson, | M. E. McKenzie, | F. A. Wilson—40. |
| John W. Dyer, | | |

*Ordered*, That said bill be engrossed and read a third time.

Said bill was then read a third as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor is hereby authorized and required, as soon as may be after the passage of this act, to appoint a State Geologist, who shall be a person of competent scientific and practical knowledge of the sciences of geology and mineralogy; and the said State Geologist shall, by and with the consent of the Governor, appoint two suitable persons to assist him in the discharge of his duties, one of whom shall be a competent and skillful chemist.

§ 2. That it shall be the duty of the said State Geologist and his assistants, as soon as may be practicable after his said appointment, to commence and carry on, with as much expedition and dispatch as may be consistent with minuteness and accuracy, a thorough geological, mineralogical, and chemical survey of this State, with a view to determine the order and comparative magnitude of the several strata or geological formations of this State, and to discover and examine all beds or deposits of ore, coal, flora, and such other mineral substances as may be useful or valuable, and to analyze the same, and to perform such other duties as may be necessary to make a full and complete geological, mineralogical, and chemical survey of this State.

§ 3. That it shall be the duty of the said State Geologist and his assistants to make full and complete examinations, assays, and analyses of all rocks, ores, flora, or other substances, as may be submitted to them for that purpose, and to furnish, if required, a detailed and complete account of the results so obtained; and at the court-house of each county in this State, in which he shall discover valuable mineral deposits, the said Geologist shall deliver either a written or verbal discourse upon their examinations, assays, and analyses of all such rocks, ores, and flora, within such county; and said Geologist, or his assistants, shall deposit at the clerk's office of such county in which he shall discover minerals or other substances, such specimens as he shall deem of value, for the inspection of the citizens and visitors of said county.

§ 4. That it shall be the duty of the said Geologist and his assistants to visit and make such exploration of each county in this State, beginning with the mineral regions, as will be sufficient to satisfy him whether it contains valuable mineral or other deposits, and the extent, nature, and value thereof.

§ 5. That it shall be the duty of said Geologist and his assistants, on or before the 1st day of December in each and every year, to make a report of the progress of said survey, accompanied with such maps, drawings, and specimens as may be necessary and proper to exemplify and elucidate the same, to the Governor, who shall lay such report before the General Assembly.

§ 6. That it shall be the duty of the said Geologist and his assistants to forward to the Governor, from time to time, during the progress of said survey, such specimens of rocks, flora, ores, coals, and other mineral substances or useful matters discovered and examined, as may be proper and necessary to form a complete cabinet of the specimens of geology, mineralogy, and other useful matters of the State; and the Governor shall cause the same to be deposited, in proper order, in some convenient room in the State Capitol, there to be preserved for public inspection.

§ 7. That, for the purpose of carrying into effect the provisions of this act, the sum of ten thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the Governor: *Provided, however*, The principal Geologist shall not receive more than ten dollars per day, nor the assistants more than seven dollars per day each, for the time they are in actual service: *And provided further*, That the appropriation herein made shall only be used so far as the Governor may find, on investigation, necessary to obtain the services of a competent Geologist and assistants during that part of the year when such Geologist can be profitably employed in the prosecution of such survey.

§ 8. The Governor shall have power to remove any of the persons appointed under this act for negligence or incompetency, or any other cause which he may deem sufficient for such removal, and appoint others in their stead.

§ 9. The principal Geologist and each of his assistants, before entering upon the duties of their offices, shall take an oath faithfully to perform all the services required of them under this act, and to abstain from all pecuniary speculations for themselves or others in the objects of their survey during their progress, and that they will not conceal any valuable discovery or information from the owner or owners of the land on which such discovery is made; but in all things will so conduct the survey, &c., as will (if practicable to do so) duly notify the community generally, and especially the owner or owners of the land on which all such valuable discoveries are made.

The question was then taken on the passage of said bill, and it was decided in the negative—not having received a constitutional majority.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| George W. Anderson, | Joseph M. Davidson, | J. L. Nall, |
| A. C. Armstrong, | John W. Dyer, | W. L. Reeves, |
| W. W. Baldwin, | M. Woods Ferguson, | John P. Rowlett, |

| | | |
|---|---|---|
| Alpheus W. Bascom, | C. D. Foote, | J. R. Sanders, |
| W. R. Bates, | James Garnett, | C. C. Scales, |
| W. N. Beckham, | Wm. Cassius Goodloe, | Harry I. Todd, |
| J. A. Bell, | E A. Graves, | L. W. Trafton, |
| J. C. S. Blackburn, | Clinton Griffith, | Joseph T. Tucker, |
| Wm. F. Bond, | Wm. A. Hoskins, | T. W. Varnon, |
| Thomas P. Cardwell, | E. Polk Johnson, | E. F. Waide, |
| John S. Carpenter, | T. M. Johnson, | J. L. Waring, |
| B. E. Cassilly, | J. S. Lawson, | C. H. Webb, |
| C. M Clay, jr., | Wm. J. McElroy, | Mordecai Williams, |
| J. Guthrie Coke, | M. E. McKenzie, | F. A. Wilson, |
| R. D. Cook, | T. J. Megibben, | J. N. Woods, |
| J. E. Cosson, | J. C. Moorman. | J. M. Wright—48. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | Hiram S. Powell, |
| Wm. A. Allen, | Thomas H. Corbett, | E. A. Robertson, |
| W. W. Ayers, | W. W. Deaderick, | John Rowan, |
| G. W. Bailey, | W. H. Evans, | Samuel M. Sanders, |
| R. Tarv. Baker, | C. P. Gray, | Wm. Sellers, |
| S. C. Bell, | T. J. Jones, | J. S. Taylor, |
| Church H. Blakey, | G. W. Little, | George M. Thomas, |
| W. B. M Brooks, | J. A. McCampbell, | C. W. Threlkeld, |
| Robert M Carlisle, | Bryan S. McClure, | J. M. White, |
| James S. Chrisman, | Mat. Nunan, | S. H. Woolfolk—32. |
| Josiah H. Combs, | Julian N. Phelps, | |

And so said bill was rejected.

Mr. Blakey then moved to reconsider the vote by which said bill was rejected.

On motion, leave of absence, indefinitely, was granted to Mr. Mynhier.

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act for the benefit of A. E. Camp, jailer of Jefferson county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasury for five hundred and ninety-nine dollars and forty-seven cents, to be paid out of any money in the Treasury not otherwise appropriated, in favor of Ambrose E. Camp, jailer of Jefferson county, for the custody and care of sundry lunatics in the jail of Jefferson county.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. D. Cook, | J. L. Nall, |
| Wm. A. Allen, | R. L. Cooper, | Mat. Nunan, |
| George W. Anderson, | Thomas H. Corbett, | Julian N. Phelps, |
| A. C. Armstrong, | Joseph M. Davidson, | Hiram S. Powell, |
| G. W. Bailey, | W. W. Deaderick, | E. A. Robertson, |
| R. Tarv. Baker, | John W. Dyer, | John Rowan, |
| W. W. Baldwin, | W. H. Evans, | John P. Rowlett, |
| Alpheus W. Bascom, | M. Woods Ferguson, | J. R. Sanders, |
| W. R. Bates, | James B. Fitzpatrick, | C. C. Scales, |
| W. N. Beckham, | C. D. Foote, | Wm. Sellers, |
| John A. Bell, | James Garnett, | J. S. Taylor, |
| S. C. Bell, | Wm. Cassius Goodloe, | George M. Thomas, |
| J. C. S. Blackburn, | C. P. Gray, | Harry I. Todd, |
| Church H. Blakey, | Clinton Griffith, | L. W. Tralton, |
| Wm. F. Bond, | Wm. A. Hoskins, | Joseph T. Tucker, |
| W. B. M. Brooks, | E. Polk Johnson, | T. W. Varnon, |
| Thomas P. Cardwell, | T. M. Johnson, | E. F. Waide, |
| Robert M. Carlisle, | T. J. Jones, | J. L. Waring, |
| John S. Carpenter, | J. S. Lawson, | J. M. White, |
| George Carter, | G. W. Little, | Mordecai Williams, |
| B. E. Cassilly, | J. A. McCampbell, | F. A. Wilson, |
| James S. Chrisman, | M. E. McKenzie, | J. N. Woods, |
| C. M. Clay, jr., | T. J. Megibben, | S. H. Woolfolk, |
| J. Guthrie Coke, | J. C. Moorman, | J. M. Wright—73. |
| Josiah H. Combs, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Bryan S. McClure, | W. L. Reeves, | C. W. Threlkeld—3. |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Griffith, from the same committee, to whom was referred a bill from the Senate, entitled

An act for the benefit of John Moore, jailer of Green county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, It appears that Joseph Tennison, a confirmed lunatic, has been confined in the county jail of Green county from the 24th day of February, 1871, up to the 24th day of February, 1872; and that said lunatic was ordered to be confined in said jail by order of the Green circuit court, owing to the fact that said lunatic could not be received into any asylum of the State for the want of room; and that James Moore, the jailer of Green county, has faithfully provided for, and taken care of, said lunatic; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, au-

thorized and directed to draw his warrant on the Treasury in favor of said John Moore for the sum of two hundred and seventy-four dollars and fifty cents, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | J. L. Nall, |
| Wm. A. Allen, | J. E. Cosson, | Mat. Nunan, |
| George W. Anderson, | Joseph M. Davidson, | Julian N. Phelps, |
| A. C. Armstrong, | W. W. Deaderick, | E. A. Robertson, |
| G. W. Bailey, | W. H. Evans, | John Rowan, |
| W. R. Bates, | M. Woods Ferguson, | John P. Rowlett, |
| John A. Bell, | James B. Fitzpatrick, | J. R. Sanders, |
| S. C. Bell, | C. D. Foote, | C. C. Scales, |
| J. C. S. Blackburn, | James Garnett, | Wm. Sellers, |
| Church H. Blakey, | E. A. Graves, | J. S. Taylor, |
| Wm. F. Bond, | C. P. Gray, | George M. Thomas, |
| W. B. M. Brooks, | Clinton Griffith, | Harry I. Todd, |
| Thomas P. Cardwell, | Wm. A. Hoskins, | L. W. Trafton, |
| John S. Carpenter, | E. Polk Johnson, | Joseph T. Tucker, |
| George Carter, | Thos. M. Johnson, | T. W. Varnon, |
| B. E. Cassilly, | T. J. Jones, | E. F. Waide, |
| James S. Chrisman, | J. S. Lawson, | J. L. Waring, |
| C. M. Clay, jr., | G. W. Little, | J. M. White, |
| J. Guthrie Coke, | Wm. J. McElroy, | F. A. Wilson, |
| Josiah H. Combs, | M. E. McKenzie, | J. N. Woods, |
| R. D. Cook, | T. J. Megibben, | S. H. Woolfolk, |
| R. L. Cooper, | J. C. Moorman, | J. M. Wright—66. |

Those who voted in the negative, were—

Bryan S. McClure, W. L. Reeves—2.

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties.

An act to amend the charter of the Glasgow Railroad Company.

An act to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company.

An act to incorporate the Boone Bridge Company.

An act to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company," approved March 6, 1850.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating Sherburn Bridge Company,'" approved March 14, 1871.

An act for the benefit of the Chilesburg and Clintonville Turnpike Road Company.

An act for the benefit of the Georgetown, Oxford, and Leesburg Turnpike Road Company.

An act for the benefit of Joseph Gardner, of Magoffin county.

An act for the benefit of the New Liberty Branch Turnpike Road Company, in Owen county.

An act for the benefit of the Farmers' Bank of Kentucky.

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company."

An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," approved January 30, 1872.

An act to amend an act, entitled "An act to incorporate the Covington Street Railway Company."

An act to amend the charter of the Stanford and Milledgeville Turnpike Road Company.

Mr. Bates, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to provide for the payment of the expenses incurred in taking care of a pauper lunatic.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, Watson Stephenson, a pauper, was, by a legal inquest, found to be a lunatic in Madison county, and was sent by the county judge of said county to the asylum at Lexington, but failed to be admitted because said asylum was full; and on account of his dangerous condition was then confined for 120 days, and until his death, in the jail of said county, and furnished with a coffin and burial clothes; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county judge of Madison is authorized to certify to the Auditor of Kentucky the expenses incurred in taking care of said Watson Stephenson, including, also, the cost of sending him to Lex-

ington and bringing him back, and his burial expenses; and the Auditor thereupon shall draw his warrrant on the Treasurer for said amount, provided it shall not exceed $130, to be used by said county judge in defraying said expenses.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Mat. Nunan, |
| Wm. A. Allen, | W. W. Deaderick, | Julian N. Phelps, |
| George W. Anderson, | W. H. Evans, | E. A. Robertson, |
| A. C. Armstrong, | M. Woods Ferguson, | John Rowan, |
| W. R. Bates, | James B. Fitzpatrick, | John P. Rowlett, |
| W. N. Beckham, | C. D. Foote, | J. R. Sanders, |
| John A. Bell, | Joseph P. Foree, | Samuel M. Sanders, |
| S. C. Bell, | James Garnett, | C. C. Scales, |
| J. C. S. Blackburn, | C. P. Gray, | William Sellers, |
| Church H. Blakey, | Clinton Griffith, | J. S. Taylor, |
| Wm. F. Bond, | Wm. A. Hoskins, | G. M. Thomas, |
| W. B. M. Brooks, | E. Polk Johnson, | Harry I. Todd, |
| Thomas P. Cardwell, | Thos. M. Johnson, | L. W. Trafton, |
| Robert M. Carlisle, | T. J. Jones, | Joseph T. Tucker, |
| George Carter, | L. W. Lassing, | T. W. Varnon, |
| B. E. Cassilly, | J. S. Lawson, | E. F. Waide, |
| C. M. Clay, jr., | G. W. Little, | J. L. Waring, |
| J. Guthrie Coke, | Wm. J. McElroy, | J. M. White, |
| Josiah H. Combs, | M. E. McKenzie, | J. N. Woods, |
| R. D. Cook, | T. J. Megibben, | S. H. Woolfolk, |
| R. L. Cooper, | J. C. Moorman, | J. M. Wright—65. |
| Thomas H. Corbett, | J. L. Nall, | |

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Davidson, from the Committee on Propositions and Grievances—

An act to authorize the reduction of Lock street from High street to the line of the Louisville and Portland Canal.

By Mr. Blackburn, from the Committee on Railroads—

An act to authorize the Mississippi and Ohio Railway Company to take, hold, and convey real estate in the State of Kentucky.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Graves, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill for the benefit of Wm. Risner and Chas. Menix, sureties of Stephen Howard, sheriff of Magoffin county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Varnon, from the Committee on Codes of Practice, to whom was referred a bill from the Senate, entitled

An act to amend section 28 of the Civil Code of Practice,

Reported the same without amendment.

Amendments were offered thereto by Messrs. Wright and Tucker.

*Ordered*, That said bill and amendments be recommitted to the Committee on the Revised Statutes.

Mr. Goodloe, from the Committee on the Library, to whom was referred a bill from the Senate, entitled

An act to incorporate and aid the Union Literary Society of the Agricultural and Mechanical College of Kentucky,

Reported the same without amendment.

Mr. Graves moved to amend said bill by striking out the fifth section thereof.

Mr. F. A. Wilson offered an amendment to the amendment of Mr. Graves, which was rejected.

The question was then taken on the amendment proposed by Mr. Graves, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Scales, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| G. W. Bailey, | C. P. Gray, | John Rowan, |
| S. C. Bell, | T. M. Johnson, | J. R. Sanders, |

| | | |
|---|---|---|
| Church H. Blakey, | Bryan S. McClure, | Samuel M. Sanders, |
| Robert M. Carlisle, | William J. McElroy, | C. C. Scales, |
| R. L. Cooper, | J. C. Moorman, | J. S. Taylor, |
| J. E. Cosson, | W. L. Reeves, | L. W. Trafton, |
| James Garnett, | E. A. Robertson, | F. A. Wilson—22. |
| E. A. Graves, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | Mat. Nunan, |
| Wm. A. Allen, | Joseph M. Davidson, | John W. Ogilvie, |
| George W. Anderson, | W. W. Deaderick, | Julian N. Phelps, |
| W. W. Ayers, | John W. Dyer, | Hiram S. Powell, |
| R. Tarv. Baker, | M. Woods Ferguson, | John P. Rowlett, |
| W. W. Baldwin, | James B. Fitzpatrick, | William Sellers, |
| Alpheus W. Bascom, | C. D. Foote, | George M. Thomas, |
| W. R. Bates, | Wm. Cassius Goodloe, | C. W. Threlkeld, |
| W. N. Beckham, | Clinton Griffith, | Harry I. Todd, |
| John A. Bell, | Wm. A. Hoskins, | Joseph T. Tucker, |
| J. C. S. Blackburn, | E. Polk Johnson, | T. W. Varnon, |
| Wm. F. Bond, | L. W. Lassing, | E. F. Waide, |
| W. B. M. Brooks, | J. S. Lawson, | J. L. Waring, |
| Thomas P. Cardwell, | G. W. Little, | J. M. White, |
| John S. Carpenter, | J. A. McCampbell, | J. N. Woods, |
| George Carter, | M. E. McKenzie, | S. H. Woolfolk, |
| C. M. Clay, jr., | T. J. Megibben, | J. M. Wright—53. |
| Josiah H. Combs, | J. L. Nall, | |

*Ordered*, That said bill be read a third time.

Mr. Waide then moved that said bill be read a third time *now*.

And the question being taken thereon, it was decided in the negative, four fifths not having voted therefor.

The yeas and nays being required thereon by Messrs. Graves and Scales, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | Mat. Nunan, |
| Wm. A. Allen, | Joseph M. Davidson, | John W. Ogilvie, |
| A. C. Armstrong, | W. W. Deaderick, | Julian N. Phelps, |
| W. W. Ayers, | John W. Dyer, | Hiram S. Powell, |
| R. Tarv. Baker, | W. H. Evans, | E. A. Robertson, |
| W. W. Baldwin, | M. Woods Ferguson, | John P. Rowlett, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | William Sellers, |
| W. N. Beckham, | C. D. Foote, | George M. Thomas, |
| John A. Bell, | Wm. Cassius Goodloe, | C. W. Threlkeld, |
| J. C. S. Blackburn, | Clinton Griffith, | Harry I. Todd, |
| Wm. F. Bond, | Wm. A. Hoskins, | L. W. Trafton, |
| W. B. M. Brooks, | E. Polk Johnson, | Joseph T. Tucker, |
| John S. Carpenter, | T. J. Jones, | T. W. Varnon, |
| George Carter, | J. S. Lawson, | E. F. Waide, |
| B. E. Cassilly, | G. W. Little, | J. L. Waring, |
| C. M. Clay, jr., | J. A. McCampbell, | J. M. White, |

| | | |
|---|---|---|
| Josiah H. Combs, | M. E. McKenzie, | J. N. Woods, |
| R. D. Cook, | T. J. Megibben, | J. M. Wright—56. |
| R. L. Cooper, | J. L. Nall, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| S. C. Bell, | C. P. Gray, | John Rowan, |
| Church H. Blakey, | T. M. Johnson, | Samuel M. Sanders, |
| Robert M. Carlisle, | L. W. Lassing, | C. C. Scales, |
| J. E. Cosson, | Bryan S. McClure, | J. S. Taylor, |
| James Garnett, | William J. McElroy, | F. A. Wilson, |
| E. A. Graves, | W. L. Reeves, | S. H. Woolfolk—18. |

*Ordered*, That said bill be read a third time to-morrow at 25 minutes before 10 o'clock, A. M.

Mr. Baker moved to reconsider the vote by which this House on a former day rejected

A bill to amend an act, approved March 2, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses.'"

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to incorporate the Louisville Insurance and Banking Company, approved 24th January, 1867;

An act for the benefit of Wolfe county;

An act to amend the criminal laws of this Commonwealth;

An act for the benefit of Lee county;

An act to prohibit the sale of spirituous, vinous, or malt liquors within half a mile of Mount Gilead and Macedonia Churches, near Allensville, in Todd county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act creating an additional justices' and constable's district in Johnson county;

An act to amend the charter of the Winchester and Red River Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the German Insurance Company;"

An act to amend the New Castle and Bethlehem Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13, 1867;

An act for the benefit of A. P. Childress;

An act for the benefit of school district No. 3, in Hancock county;

An act to amend the charter of Glasgow Junction;

An act to repeal an act, entitled "An act to amend the charter of Cave City, in Barren county," approved March 8, 1871;

An act to amend the charter of the Clark and Montgomery Turnpike Road Company;

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company;

An act to amend the act incorporating the Grassy Lick Turnpike Road Company;

An act to provide for the collection of the railroad tax in Montgomery county;

An act to require the clerk of the Lincoln circuit court to make cross-index, and pay him for the same;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Reeves inform the Senate thereof.

The House then took up, and proceeded to consider, the majority and minority reports of the board selected and appointed to consider and report upon the matter of contest for a seat upon this floor as the duly elected Representative from the county of Crittenden between Mr. Woods, the sitting member, and Mr. S. Hodge, the contestant.

The resolution reported by the majority of said board is as follows, viz:

*Resolved*, That S. Hodge is the legally elected Representative from the county of Crittenden, and as such, is entitled to receive the oath of office and his seat in this House.

The resolution reported by the minority of said board is as follows, viz:

*Resolved*, That J. N. Woods, the sitting member, is entitled to his seat in this House.

The question being on the adoption of the resolution reported by the majority, Mr. Reeves moved to amend the same by substituting the resolution offered by the minority therefor.

And the question being taken on the amendment proposed by Mr. Reeves, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Reeves and Foote, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| G. W. Bailey, | R. D. Cook, | J. C. Moorman, |
| R. Tarv. Baker, | J. E. Cosson, | J. L. Nall, |
| W. R. Bates, | W. W. Deaderick, | Mat. Nunan, |
| W. N. Beckham, | W. H. Evans, | Julian N. Phelps, |
| John A. Bell, | M. Woods Ferguson, | Hiram S. Powell, |
| S. C. Bell, | James Garnett, | W. L. Reeves, |
| Church H. Blakey, | Wm. Cassius Goodloe, | E. A. Robertson, |
| Wm. F. Bond, | C. P. Gray, | John P. Rowlett, |
| W. B. M. Brooks, | Wm. A. Hoskins, | Wm. Sellers, |
| Thomas P. Cardwell, | E. Polk Johnson, | George M. Thomas, |
| John S. Carpenter, | T. M. Johnson, | T. W. Varnon, |
| B. E. Cassilly, | G. W. Little, | E. F. Waide, |
| James S. Chrisman, | J. A. McCampbell, | J. L. Waring, |
| C. M. Clay, jr., | Bryan S. McClure, | J. M. Wright—44. |
| Josiah H. Combs, | Wm. J. McElroy, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | John Rowan, |
| Wm. A. Allen, | James B. Fitzpatrick, | J. R. Sanders, |
| George W. Anderson, | C. D. Foote, | Samuel M. Sanders, |
| A. C. Armstrong, | E. A. Graves, | C. C. Scales, |
| W. W. Ayers, | Clinton Griffith, | J. S. Taylor, |
| Alpheus W. Bascom, | George M. Jessee, | C. W. Threlkeld, |
| J. C. S. Blackburn, | T. J. Jones, | L. W. Trafton, |
| Robert M. Carlisle, | L. W. Lassing, | Joseph T. Tucker, |
| George Carter, | J. S. Lawson, | J. M. White, |
| R. L. Cooper, | M. E. McKenzie, | F. A. Wilson, |
| Thomas H. Corbett, | T. J. Megibben, | S. H. Woolfolk—34. |
| Joseph M. Davidson, | | |

Pending the consideration of said matter, the House adjourned.

## THURSDAY, MARCH 21, 1872.

On motion of Mr. McElroy, leave of absence, indefinitely, was granted Mr. Potter.

On motion of Mr. Graves, the further consideration of a bill from the Senate, entitled

An act to provide for the location and erection of the Third Lunatic Asylum,

Was postponed to, and made the special order of the day for, Saturday, the 23d inst., at 12 o'clock, M.

According to order, the House resumed the consideration of the report and resolutions of the majority and minority of the Board raised to inquire into the matter of contest for a seat on this floor, between Messrs. Woods & Hodge, as the duly elective representative from the county of Crittenden.

The question was then taken on the adoption of the resolution of the majority of said Board, as amended by the vote of yesterday, and it was decided in the affirmative.

And so said resolution, as amended by the adoption of the amendment proposed by Mr. Reeves, was adopted.

Mr. Deaderick then moved to reconsider the vote by which said resolution, as amended, was adopted.

According to order, the House took up for further consideration a bill from the Senate, entitled

An act to incorporate and aid the Union Literary Society of the Agricultural and Mechanical College of Kentucky.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of tucky*, That T. J. Oliver, president, G. A. Lord, vice president, W. E. Morrison, secretary, T. Throope, treasurer, H. S. Barker, librarian, C. A. Board, corresponding secretary, and Jno. W. Radley, editor, John S. Hockaday, John C. Dabney, J. N. Carden, M. S. Barker, C. A. Foster, and their associates and successors, be, and they are hereby, created a body-politic and corporate, under the name and style of the Union Literary Society of the Agricultural and Mechanical College of Kentucky; and as such shall have perpetual succession, sue and be sued, plead and be impleaded, contract and be contracted with, have and use a common seal, and alter the same at pleasure.

§ 2. That the object of said society shall be the promotion of morality and intellectual and social improvement; and to that end it shall have power to adopt a constitution and by-laws not inconsistent with the general law of the State; and may receive gifts and donations of books, money, and property, not exceeding $10,000 in value, to institute a library in the Agricultual and Mechanical College of Kentucky, for the use of its members, and to do such other acts, not inconsistent with the law of the State, as may be necessary to carry out its ends.

§ 3. That the constitution and by-laws of said society shall be binding and enforceable against all the members of said society who subscribe the same.

§ 4. That the number, name, and term of the officers may be regulated by the constitution and by-laws of the society, which shall regulate its government and general management; said constitution and by-laws may be changed by said society in a mode to be provided in said constitution and by-laws.

§ 5. That there is hereby appropriated, out of the Treasury, the sum of $1,000, to be drawn and appropriated by the treasurer for the purchase of such books as may be recommended by the president of said college.

§ 6. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | R. D. Cook, | Mat. Nunan, |
| R. Tarv. Baker, | R. L. Cooper, | Julian N. Phelps, |
| W. W. Baldwin, | Joseph M. Davidson, | Hiram S. Powell, |
| Alpheus W. Bascom, | W. W. Deaderick, | E. A. Robertson, |
| W. R. Bates, | John W. Dyer, | J. R. Sanders, |
| W. N. Beckham, | W. H. Evans, | C. C. Scales, |
| J. A. Bell, | M. Woods Ferguson, | Wm. Sellers, |
| J. C. S. Blackburn, | James B. Fitzpatrick, | George M. Thomas, |
| Wm. F. Bond, | C. D. Foote, | C. W. Threlkeld, |
| W. B. M Brooks, | Joseph P. Foree, | Harry I. Todd. |
| Thomas P. Cardwell, | Wm. Cassius Goodloe, | Joseph T. Tucker, |
| John S. Carpenter, | Wm. A. Hoskins, | T. W. Varnon, |
| George Carter, | E. Polk Johnson, | E. F. Waide, |
| B. E. Cassilly, | G. W. Little, | J. N. Woods, |
| J. Guthrie Coke, | J. A. McCampbell, | J. M. Wright—47. |
| Josiah H. Combs, | J. L. Nall, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. P. Gray, | J. C. Moorman, |
| George W. Anderson, | T. M. Johnson, | W. L. Reeves, |
| G. W. Bailey, | T. J. Jones, | John Rowan, |
| S. C. Bell, | L. W. Lassing, | Samuel M. Sanders, |
| Church H. Blakey, | J. S. Lawson, | J. S. Taylor, |

Robert M. Carlisle, Bryan S. McClure, L. W. Trafton,
James S. Chrisman, Wm. J. McElroy, J. M. White,
J. E. Cosson, M. E. McKenzie, F. A. Wilson,
James Garnett, T. J. Megibben, S. H. Woolfolk—28.
E. A. Graves,

*Resolved*, That the title of said bill be as aforesaid.

Mr. Scales then moved to reconsider the vote by which said bill was passed.

A message was received from the Senate, announcing that they had concurred in the adoption of a resolution, which originated in the House of Representatives, entitled

Resolution providing for the purchase of a Library for the Kentucky Penitentiary,

With an amendment thereto.

That they had concurred in the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Warren county court to submit the question of the adoption of an act amending the law in relation to roads, passed 17th February, 1866, to the voters of said county.

An act to incorporate the Exchange Bank and Tobacco Warehouse Company.

An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company.

That they had disagreed to bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Mason Morris, late sheriff of Edmonson county.

An act to subject bank stock to taxation for county and municipal purposes.

A act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Road Company.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Bourbon Building and Savings Association, of Paris.

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

An act to amend the charter of the Commonwealth Insurance Company, of Kentucky.

An act for the benefit of the Commercial Bank of Kentucky.

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to amend the charter of the town of Eddyville, in Lyon county.

An act to amend the charter of the Paducah and Gulf Railroad Company, approved February 26, 1869.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Poplar Plains, in Fleming county.

An act to extend the time for the payment of railroad taxes in Bourbon county.

An act providing for the collection of railroad tax in Elliott county.

An act for the benefit of the county and circuit court clerks of Boyd county.

An act to authorize the county court of Hickman county to raise money to build a new court-house in said county, in the town of Clinton.

An act to locate the county seat for Hickman county.

An act for the benefit of A. McCampbell, late sheriff of Jessamine county.

An act to authorize the county court of Madison county to sell the stock owned by said county in the Louisville and Nashville Railroad Company, and reinvest the proceeds of the sale.

An act to incorporate the First German Savings Bank, of Louisville.

An act to amend an act establishing a graded road from London, in Laurel county, to Booneville, in Owsley county.

An act to empower the overseer of the State road in Trigg county to make a change in said road.

An act to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7, 1850.

An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville.

With amendments to the last two named bills.

That they adhered to their proposed amendment to a bill, which originated in this House, entitled

An act to amend chapter 105, Revised Statutes—weight of coal.

And that they had passed bills of the following titles, viz:

1. An act to authorize the counties of Trigg and Calloway to subscribe stock to railroads.

2. An act to amend an act, entitled "An act to incorporate the Kentucky Life Insurance Company."

3. An act for the benefit of Joseph F. Perrie, of Mason county.

4. An act to require county clerks to report to the Auditor the indebtedness of their respective counties.

5. An act to provide for paying for indexing record books in the Warren circuit and county courts.

6. An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Railroads; the 2d to the Committee on Insurance; the 3d to the Committee on Ways and Means; the 4th and 5th to the Committee on County Courts; and the 6th to the Committee on Corporate Institutions.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to provide for the collection of railroad taxes in Montgomery county.

An act to amend the charter of the Winchester and Red River Turnpike Road Company.

An act creating an additional justices' and constable's district in Johnson county.

An act to amend the act incorporating the Grassy Lick Turnpike Road Company.

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

An act to amend the charter of the Clark and Montgomery Turnpike Road Company.

An act to repeal an act, entitled "An act to amend the charter of Cave City, in Barren county."

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 3d, 1867.

An act for the benefit of school disirict No. 3, in Hancock county.

An act to amend the charter of Glasgow Junction.

An act to amend the charter of New Castle and Bethlehem Turnpike Road Company.

An act to require the clerk of the Lincoln circuit court to make cross-index, and pay him for the same.

An act for the benefit of A. P. Childress.

An act to amend the criminal laws of this Commonwealth.

An act for the benefit of Wolfe county.

An act to amend an act to incorporate the Louisville Insurance and Banking Company, approved 24th January, 1867.

An act for the benefit of Lee county.

An act to prohibit the sale of spirituous, vinous, or malt liquors within half a mile of Mount Gilead and Macedonia Churches, near Allensville, in Todd county.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the Estill quarterly court;

An act to authorize the Casey county court to increase the county levy in said county;

An act legalizing certain proceedings of the Boone county court;

An act to extend the time of collecting the fee bills of E. H. Logan, late clerk of the Rowan county and circuit courts;

An act to prevent the destruction of fish in Mercer county;

An act to authorize the Lawrence county court to levy an ad valorem and per capita tax for county purposes;

An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth;"

An act legalizing certain proceedings of the Owen county court;

An act to repeal an act, entitled "An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant;"

An act to authorize the Warren county court to submit the question of the adoption of an act amending the laws in relation to roads, passed 17th day of February, 1866, to the voters of said county;

An act to incorporate the Bank of Commerce;

An act for the benefit of Dillion Asher, jailer of Josh Bell county;

An act for the benefit of W. S. Hicks, sheriff of Henderson county, and his sureties;

An act for the benefit of James Rhea Boyd;

An act for the benefit of Boone county;

An act to amend and explain an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company;'"

An act to provide for indexing deed-books in Caldwell county;

An act for the benefit of Meade county;

An act to amend an act, entitled "An act to transcribe the surveyors' books and records of Cumberland county;"

An act to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company;

An act requiring the Jefferson county court to appoint a measurer of tan-bark for said county;

An act to define and locate the county line beween the counties of Elliott and Rowan;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Scuffletown Fence Company;

An act submitting to the qualified voters of Josh Bell county the question of prohibiting the sale of spirituous liquors in said county;

An act to prohibit the sale of intoxicating liquors in Pulaski county;

An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15, 1868;

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond;"

An act for the benefit of Henry C. Lucas, of Russell county;

An act to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association;

An act to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company;

An act for the benefit of the citizens of Garrard county;

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company;

An act to amend the charter of the Smithfield and Shelbyville Turnpike Road Company;

An act for the benefit of John D. Boyes, of Magoffin county;

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Lincoln county;'"

An act changing the time of holding the February term of the Franklin circuit court;

An act to amend the charter of the Lowell and Spoonsville Turnpike Road Company, approved February 1, 1868;

An act for the benefit of turnpike roads in Scott county;

An act to regulate the terms of the Boyle county quarterly court;

An act to authorize the county court of Madison county to sell the stock owned by said county in the Louisville and Nashville Railroad Company, and reinvest the proceeds of sale;

Resolution for the benefit of B. E. Woodworth;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

According to order, the House took up, and resumed the consideration of a bill from the Senate, entitled

An act to amend the charter of the city of Lexington.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend the charter of the city of Lexington," approved March 3d, 1870, be so amended that the councilmen elected under the provisions of an act, entitled "An act to amend the charter of the city of Lexington," approved January 24th, 1870, shall remain in office for four years from the first Thursday after the first Saturday in March, 1873, and until their successors are duly elected and qualified: *Provided, however*, That the term of office of one councilman from each ward of the city shall expire on the first Thursday after the first Saturday in March, 1873, and of each succeeding year; and it shall be determined by lot, to be drawn among the councilmen from each respective ward, who shall retire from office as above prescribed: *And provided further*, That the councilman so retiring shall be deemed ineligible to the office of councilman for one year thereafter.

§ 2. That upon the termination of the term of office of four councilmen, as provided for in the first section of this act, the eight remaining councilmen shall, on the first Thursday after the first Saturday in March, 1873, and in each succeeding year, elect, by ballot, one councilman from each ward in the city to fill the vacancies thus occasioned, and whose term of office shall be three years from said date, and until their successors are duly elected and qualified.

§ 3. That the council shall have power to license and tax all real estate agents in the city of Lexington.

§ 4. That the council shall have power to tax all whisky and other property in store in the city, whether belonging to residents or non-residents thereof, and by ordinance require, under proper penalty, the persons in whose custody such whisky and other property may

be to list the same for taxation, and be held liable for the taxes thereon.

§ 5. All acts and parts of acts in conflict with this act are hereby repealed.

§ 5. This act to take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Coke and Blackburn, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Thomas H. Corbett, | W. L. Reeves, |
| George W. Anderson, | W. W. Deaderick, | E. A. Robertson, |
| A. C. Armstrong, | M. Woods Ferguson, | John Rowan, |
| R. Tarv. Baker, | James B. Fitzpatrick, | John P. Rowlett, |
| Alpheus W. Bascom, | C. D. Foote, | J. R. Sanders, |
| W. R. Bates, | George M. Jessee, | C. C. Scales, |
| W. N. Beckham, | E. Polk Johnson, | J. S. Taylor, |
| John A. Bell, | T. M. Johnson, | C. W. Threlkeld, |
| J. C. S. Blackburn, | L. W. Lassing, | L. W. Trafton, |
| W. B. M. Brooks, | J. S. Lawson, | Joseph T. Tucker, |
| Robert M. Carlisle, | Bryan S. McClure, | T. W. Varnon, |
| George Carter, | M. E. McKenzie, | J. M. White, |
| C. M. Clay, jr., | T. J. Megibben, | F. A. Wilson, |
| R. L. Cooper, | J. C. Moorman, | S. H. Woolfolk—42. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | J. E. Cosson, | John W. Ogilvie, |
| W. W. Ayers, | John W. Dyer, | Julian N. Phelps, |
| W. W. Baldwin, | W. H. Evans, | Hiram S. Powell, |
| S. C. Bell, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| Church H. Blakey, | E. A. Graves, | William Sellers, |
| Wm. F. Bond, | C. P. Gray, | George M. Thomas, |
| Thomas P. Cardwell, | T. J. Jones, | Harry I. Todd, |
| John S. Carpenter, | G. W. Little, | E. F. Waide, |
| James S. Chrisman, | J. A. McCampbell, | J. L. Waring, |
| J. Guthrie Coke, | William J. McElroy, | C. H. Webb, |
| Josiah H. Combs, | J. L. Nall, | J. N. Woods, |
| R. D. Cook, | Mat. Nunan, | J. M. Wright—36. |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Bascom then moved to reconsider the vote by which said bill was passed.

Mr. Blackburn moved to lay the motion to reconsider said vote on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Little and Baker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. W. Deaderick, | J. C. Moorman, |
| George W. Anderson, | M. Woods Ferguson, | E. A. Robertson, |
| A. C. Armstrong, | James B. Fitzpatrick, | John Rowan, |
| Alpheus W. Bascom, | C. D. Foote, | J. R. Sanders, |
| W. R. Bates, | Clinton Griffith, | Samuel M. Sanders, |
| W. N. Beckham, | George M. Jessee, | C. C. Scales, |
| John A. Bell, | E. Polk Johnson, | J. S. Taylor, |
| J. C. S. Blackburn, | T M. Johnson, | C. W. Threlkeld, |
| W. B. M. Brooks, | L. W. Lassing, | L. W. Trafton, |
| Robert M. Carlisle, | J. S. Lawson. | Joseph T. Tucker, |
| George Carter, | Bryan S. McClure, | T. W. Varnon, |
| C. M. Clay, jr., | M. E. McKenzie, | J. M. White, |
| R. L. Cooper, | T. J. Megibben, | S. H. Woolfolk—40. |
| Thomas H. Corbett, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| R. Tarv. Baker, | Wm. Cassius Goodloe, | Julian N. Phelps, |
| W. W. Baldwin, | E. A. Graves, | Hiram S. Powell, |
| S. C. Bell, | T. J. Jones, | Wm. Sellers, |
| Church H. Blakey, | G. W. Little, | George M. Thomas, |
| Wm. F. Bond, | J. A. McCampbell, | Harry I. Todd, |
| Thomas P. Cardwell, | William J. McElroy, | E. F. Waide, |
| James S. Chrisman, | J. L. Nall, | C. H. Webb, |
| J. E. Cosson, | Mat. Nunan, | J. N. Woods, |
| John W. Dyer, | John W. Ogilvie, | J. M. Wright—28. |
| W. H. Evans, | | |

When the name of Mr. Hoskins was called on the above vote, he rose and stated that he was opposed to the passage of said bill; but that he had paired off with the member from Floyd and Johnson, and therefore asked to be, and was, excused from voting.

A message was received from the Senate, announcing that they had passed a bill of the following title, viz:

An act to amend an act, entitled "An act for the benefit of the officers and soldiers of the thirty-first regiment of enrolled militia," approved February 7, 1866.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Propositions and Grievances.

And then the House adjourned.

## FRIDAY, MARCH 22, 1872.

The Speaker being absent, the House was called to order by the Clerk, who read the following note, viz:

MARCH 22, 1872.

M. T. CHRISMAN, *Clerk House Representatives:*

It is impossible for me to be present in the House this morning. I desire that a Speaker *pro tempore* shall be elected to preside in my absence. J. B. MCCREARY.

And thereupon Hon. Thos. W. Varnon, the member from Lincoln county, was elected Speaker *pro tempore*, and took the Chair.

A message was received from the Senate, announcing that they had disagreed to bills which originated in the House of Representatives, of the following titles, viz:

An act to create an additional justices' district in Washington county.

An act to establish an additional voting place in election district No. 3, in Lyon county.

An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky.

An act in relation to the streets and alleys of Jamestown, Russell county.

An act to amend an act, entitled "An act concerning public books, and providing for the supply of destitute counties.

An act for the benefit of county court clerks.

An act for the benefit of the justices' of the peace in Webster county.

An act to incorporate the Campbell Gas-light Company.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of J. B. Ross, former sheriff of Ballard county.

An act authorizing the presiding judge of the Breathitt county court to submit to the qualified voters of said county the propriety of imposing an ad valorem and capitation tax for the construction of a bridge across the North Fork of the Kentucky river, near the town of Jackson.

An act to declare the South Fork of Quicksand creek, and other creeks in Breathitt county, navigable streams.

An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company.

An act to amend the charter, and the amendments thereto, of the town of Stanford.

An act to provide for the appointment of deputy constables in the city of Covington.

An act to increase the duties of the county attorney of Barren county.

An act to amend an act, entitled "An act for the benefit of Boone county," approved January 30, 1871.

An act to authorize the county court of Trigg county to sell the poor-house therein.

An act to authorize the Boone county court to appoint trustees for the Burlington burying-ground, and prescribing their duties.

An act to amend the charter of the town of Mt. Sterling.

An act to amend an act, entitled "An act to incorporate the Elizabethtown and Paducah Railroad Company, and the acts amendatory thereto."

An act to prevent and punish certain trespasses in Scott and Woodford counties.

An act authorizing the Buffalo Springs Cemetery Company to have lands condemned for their use.

An act to amend an act, entitled "An act to incorporate the Henderson Running Park Association," approved March 9, 1868.

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries," so far as it applies to Martin's creek and Hurricane pond or slough, in Daviess county.

An act legalizing orders and proceedings of the Pulaski county court.

An act to incorporate the town of Linton, in Trigg county.

An act regulating the listing of property for local taxation in Washington county.

An act to change the time of holding the court of claims of Carter county.

An act to change the time of holding the court of claims in the county of Robertson.

An act to require the clerk of the Johnson county court to index certain order books and other records in his office.

An act to empower the trustees of the town of Cadiz to sell old cemetery property not inclosed.

An act for the benefit of Washington county.

An act to amend an act, entitled "An act amending the public school laws in the city of Owensboro," passed and approved the present session of the Legislature.

An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

An act for the benefit of A. S. Arnold, late sheriff of Hickman county.

An act to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville.

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872,

With amendments to the last four named bills.

And that they had passed bills of the following titles, viz:

1. An act to continue the office of Auditor's Agent.

2. An act for the benefit of J. M. Curry, late sheriff of Pendleton county, and his sureties.

3. An act to amend the act creating a criminal court for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton.

4. An act to fix and regulate the time for holding the terms of the circuit courts in the 12th judicial district.

5. An act to fix and regulate the times of holding the chancery court in Bracken, Pendleton, Campbell, and Kenton counties.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st and 2d to the Committee on Ways and Means, and the 3d, 4th, and 5th to the Committee on the Revised Statutes.

Mr. Thomas, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill for the benefit of Lewis Plummer, jailer of Lewis county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasurer of the State in favor of Lewis Plummer, jailer of Lewis county, for one hundred and forty dollars and twenty-five cents ($140 25), to be paid out of any money not otherwise appropriated, it being in full of the amonnt due said Plummer for keeping Mariah McLane, a lunatic, in the jail of Lewis county, from June 19th, 1871, to the 3d day of September, 1871; and in full for keeping Lewis Kirk, a lunatic, in the jail of Lewis county, from the 28th day of November, 1871, to March 20th, 1872.

§ 2. That said Lewis Plummer shall be allowed the sum of seventy-five cents per day for keeping said Lewis Kirk from the 20th day of March, 1872, until he is discharged, to be paid out of the State Treasury; the claim to be allowed by the Lewis circuit court, and certified as other claims against the State are allowed and certified.

§ 3. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | J. E. Cosson, | Mat. Nunan, |
| George W. Anderson, | W. W. Deaderick, | John W. Ogilvie, |
| A. C. Armstrong, | John W. Dyer, | Julian N. Phelps, |
| R. Tarv. Baker, | W. H. Evans, | Lewis Potter, |
| W. W. Baldwin, | M. Woods Ferguson, | Hiram S. Powell, |
| Alpheus W. Bascom, | C. D. Foote, | E. A. Robertson, |
| W. R. Bates, | Joseph P. Foree, | John Rowan, |
| W. N. Beckham, | James Garnett, | J. R. Sanders, |
| John A. Bell, | Wm. Cassius Goodloe, | Samuel M. Sanders, |
| S. C. Bell, | E. A. Graves, | C. C. Scales, |
| J. C. S. Blackburn, | C. P. Gray, | Wm. Sellers, |
| Church H. Blakey, | Wm. A. Hoskins, | J. S. Taylor, |
| Wm. F. Bond, | E. Polk Johnson, | George M. Thomas, |
| W. B. M. Brooks, | Thos. M. Johnson, | Harry I. Todd, |
| Thomas P. Cardwell, | T. J. Jones, | Joseph T. Tucker, |
| Robert M. Carlisle, | L. W. Lassing, | T. W. Varnon, |
| John S. Carpenter, | J. S. Lawson, | E. F. Waide, |
| George Carter, | G. W. Little, | J. L. Waring, |
| B. E. Cassilly, | J. A. McCampbell, | J. M. White, |
| J. Guthrie Coke, | Wm. J. McElroy, | Mordecai Williams, |
| Josiah H. Combs, | T. J. Megibben, | F. A. Wilson, |

R. L. Cooper, J. C. Moorman, J. N. Woods,
Thomas H. Corbett, J. L. Nall, J. M. Wright—69.

Those who voted in the negative, were—

Bryan S. McClure, W. L. Reeves—2.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Waide, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill to reimburse the county court of Fleming county for expenses incurred in keeping, and support of, certain lunatics of said county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill, being engrossed, was then read a third time as follows, viz:

WHEREAS, Eliza Pitts and Betsie Lowrie (of color), and Sarah Tinsley, Patrick Krines, sr., and Patrick Krines, jr., white persons, all of the county of Fleming, have been, by proper proceeding regularly had, found to be lunatics; and by the inquest held upon said persons it was further found, that said persons had no estate, real, personal, or mixed, in possession, remainder, or reversion, and none of said persons so found to be lunatics had relatives or friends competent and willing to take care of and support them; and whereas, application has been made for their admission into the Eastern Lunatic Asylum, at Lexington, and they have been refused admission, solely for want of room in said asylum; and the county court of Fleming county has incurred expenses in the taking care and support of said lunatics, and become responsible for the same, part of which has been paid, and part still remains due and unpaid; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasury for the sum of $278 37, in favor of the sheriff of Fleming county, and said sheriff is hereby authorized and directed to draw the same, and pay it out, from time to time, as directed and ordered by the county court of said county.

§ 2. Before the sheriff shall be authorized to receive said money, or any part thereof, he shall produce to the Auditor of Public Accounts an order of the Fleming county court, properly certified, that he has executed a bond, with security (which bond the said court is hereby authorized to take, and said sheriff to execute), faithfully to pay over said moneys as required and ordered by the court; and that he is authorized to receive and receipt for the same.

§ 3. This act to take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. H. Evans, | Julian N. Phelps, |
| George W. Anderson, | M Woods Ferguson, | Lewis Potter, |
| A. C. Armstrong, | C. D. Foote, | Hiram S. Powell, |
| G. W. Bailey, | Joseph P. Foree, | E. A. Robertson, |
| R. Tarv. Baker, | James Garnett, | John Rowan, |
| W. W. Baldwin, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| Alpheus W. Bascom, | E. A. Graves, | J. R. Sanders, |
| W. R. Bates, | C. P. Gray, | Samuel M. Sanders, |
| W. N. Beckham, | Wm. A. Hoskins, | C. C. Scales, |
| John A. Bell, | George M. Jessee, | William Sellers, |
| S. C. Bell, | E. Polk Johnson, | J. S. Taylor, |
| J. C. S. Blackburn, | Thos. M. Johnson, | G. M. Thomas, |
| Church H. Blakey, | T. J. Jones, | Harry I. Todd, |
| W. B. M. Brooks, | L. W. Lassing, | L. W. Tratton, |
| Thomas P. Cardwell, | J. S. Lawson, | Joseph T. Tucker, |
| Robert M. Carlisle, | G W. Little, | T. W. Varnon, |
| George Carter, | J. A. McCampbell, | E. F. Waide, |
| B. E. Cassilly, | Wm. J. McElroy, | J. L. Waring, |
| James S. Chrisman, | M. E. McKenzie, | C. H. Webb, |
| C. M. Clay, jr., | T. J. Megibben, | J. M. White, |
| J. Guthrie Coke, | J. C. Moorman, | Mordecai Williams, |
| Josiah H. Combs, | J. L. Nall, | F. A. Wilson, |
| R. L. Cooper, | Mat. Nunan, | J. N. Woods, |
| J. E. Cosson, | John W. Ogilvie, | J. M. Wright—73. |
| John W. Dyer, | | |

Those who voted in the negative, were—

Bryan S. McClure, W. L. Reeves—2.

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Bank of Owen.

An act to incorporate the Bank of Uniontown.

An act to incorporate the Deposit Bank of Carrollton.

An act to incorporate the Uniontown Deposit Bank.

An act to amend the charter of the Louisville City Railway Company.

An act providing for a settlement with H. I. Todd, late Lessee and Keeper of the Penitentiary.

An act to amend an act, entitled "An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4, 1872.

An act to prohibit the sale of spirituous, vinous, or malt liquors within half a mile of Mount Gilead and Macedonia Churches, near Allensville, in Todd county.

An act for the benefit of Lee county.

An act to amend an act to incorporate the Louisville Insurance and Banking Company, approved 24th January, 1867.

An act for the benefit of Wolfe county.

An act to amend the criminal laws of this Commonwealth.

Mr. Jessee, from the Committee on Charitable Institutions, to whom was referred a bill from the Senate, entitled

A act for the benefit of the Deaf and Dumb Asylum at Danville,

Reported the same with an amendment thereto.

Said amendment is as follows, viz:

Strike from the first line of the bill the word "annual."

Said amendment was adopted.

*Ordered*, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of three thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the Deaf and Dumb Asylum at Danville, to be applied by the board of commissioners thereof—first, to repairing and keeping in good repair the buildings and fencing on said Asylum grounds, and the residue to defraying the expenses of the pupils hereafter admitted into said Institution over and above the number now provided for by law. Said sum to be paid quarterly from the first day of January, 1872; and the Auditor, on the application of the president of said board of commissioners, is hereby directed to issue his warrant on the Treasurer for the payment of the same.

§ 2 This act to be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | R. L. Cooper. | John W. Ogilvie. |
| George W. Anderson, | Thomas H. Corbett, | Hiram S. Powell, |

| | | |
|---|---|---|
| A. C. Armstrong, | J. E. Cosson, | E. A. Robertson, |
| R. Tarv. Baker, | John W. Dyer, | J. P. Sacksteder, |
| W. W. Baldwin, | M. Woods Ferguson, | J. R. Sanders, |
| Alpheus W. Bascom, | James B. Fitzpatrick, | C. C. Scales, |
| W. R. Bates, | C. D. Foote, | William Sellers, |
| W. N. Beckham, | Joseph P. Foree, | J. S. Taylor, |
| John A. Bell, | James Garnett, | George M. Thomas, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | C. W. Threlkeld, |
| Wm. F. Bond, | C. P. Gray, | Harry I. Todd, |
| W. B. M. Brooks, | Wm. A. Hoskins, | L. W. Trafton, |
| Thomas P. Cardwell, | George M. Jessee, | Joseph T. Tucker, |
| John S. Carpenter, | E. Polk Johnson, | T. W. Varnon, |
| George Carter, | T. M. Johnson, | E. F. Waide, |
| B. E. Cassilly, | T. J. Jones, | J. L. Waring, |
| James S. Chrisman, | J. S. Lawson, | Mordecai Williams, |
| C. M. Clay, jr., | M. E. McKenzie, | F. A. Wilson, |
| J. Guthrie Coke, | T. J. Megibben, | J. N. Woods, |
| Josiah H. Combs, | J. L. Nall, | S. H. Woollolk—60. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| S. C. Bell, | J. A. McCampbell, | Julian N. Phelps, |
| Church H. Blakey, | Bryan S. McClure, | John Rowan, |
| Robert M. Carlisle, | William J. McElroy, | J. M. White—11. |
| E. A. Graves, | J. C. Moorman, | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Reeves, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river,

Reported the same without amendment.

*Ordered*, That the consideration thereof be postponed to, and made the special order of the day for, to-morrow, at twenty-five minutes before ten o'clock, A. M.

According to order, the House took up for further consideration a bill from the Senate, entitled

An act to change the time of paying the revenue by sheriffs into the Treasury.

Mr. Waide moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Corbett and Griffith, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| W. R. Bates, | James Garnett, | M. E. McKenzie, |
| Wm. F. Bond, | E. A. Graves, | J. L. Nall, |
| James S. Chrisman, | C. P. Gray, | E. F. Waide—9. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | M. Woods Ferguson, | E. A. Robertson, |
| A. C. Armstrong, | James B. Fitzpatrick, | John Rowan, |
| G. W. Bailey, | C. D. Foote, | John P. Rowlett, |
| R. Tarv. Baker, | Joseph P. Foree, | J. P. Sacksteder, |
| W. N. Beckham, | Clinton Griffith, | J. R. Sanders, |
| John A. Bell, | Wm. A. Hoskins, | Samuel M. Sanders, |
| S. C. Bell, | George M. Jessee, | C. C. Scales, |
| J. C. S. Blackburn, | E. Polk Johnson, | Wm. Sellers, |
| Church H. Blakey, | T. M. Johnson, | J. S. Taylor, |
| W. B. M. Brooks, | T. J. Jones, | George M. Thomas, |
| Robert M. Carlisle, | J. S. Lawson, | C W. Threlkeld, |
| John S. Carpenter, | J. A. McCampbell, | Harry I. Todd, |
| B. E. Cassilly, | Bryan S. McClure, | L. W. Trafton, |
| C. M. Clay, jr., | T. J. Megibben, | Joseph T. Tucker, |
| J. Guthrie Coke, | J. C. Moorman, | T. W. Varnon, |
| Josiah H. Combs, | Mat. Nunan, | J. L. Waring, |
| R. L. Cooper, | John W. Ogilvie, | C. H. Webb, |
| Thomas H. Corbett, | Julian N. Phelps, | J. M White, |
| J. E. Cosson, | Lewis Potter, | S. H. Woolfolk, |
| John W. Dyer, | Hiram S. Powell, | J. M. Wright—62. |
| W. H. Evans, | W. L. Reeves, | |

The Senate bill is as follows, viz:

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the first day of June, 1872, the sheriff or collector of the State revenue, in each county in this State, shall account for and pay all taxes for which he is bound into the State Treasury in two installments, one half to be paid by the 15th day of October, annually, and the balance on the first day of January thereafter; and upon his failure to do so, he and his securities shall be liable for interest at the rate of ten per cent. per annum on said installment, or on any balance on either of them that he may fail to pay by the times required by this act; and for a failure to pay the revenue into the Treasury by the first day of January, he and his securities may be proceeded against as now prescribed by law.

§2. That it shall be the duty of the sheriff or tax collector to attend two days at the voting place in each justices' district in his county, between the 1st day of August and the 15th day of October, and two days between the 15th day of October and the 15th day of December, of each year, for the purpose of collecting taxes, of which attendance he shall give written or printed notice twenty days previous thereto, by posting the same at five or more public places in each district. That all tax-payers failing to pay their taxes on or before the second attendance in the district, as required by this act, shall thereafter pay the same to the sheriff or collector at his office in the county seat of his county.

§3. That upon all taxes remaining unpaid after the 1st day of January, the sheriff shall have the right to charge and collect of the tax-payer five per cent. of the amount due.

§ 4. That this act shall be in force from and after the first day of June next, when all acts and parts of acts in conflict with this act shall stand repealed.

Mr. Corbett then offered a substitute for said bill by way of amendment.

Mr. Hoskins offered an amendment to the amendment, which was accepted by Mr. Corbett.

The substitute, as amended, is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the several sheriffs or other collecting officers of the public revenue of this Commonwealth, on the first Monday in April in each year, or within ten days thereafter, to make out and report to the county judge of his county a complete list of all lands, town or city lots, listed with him for taxation, giving as accurate and minute a description of the same as may be, the names of the owners, and the amount of taxes due to the State on each, and which he has not been able to collect by distraint on personal property or otherwise; which said lists, when so made out by the several sheriffs or tax collectors, shall be verified by them as correct before some officer of the law authorized to administer an oath. Immediately upon the filing of said list with the county judge, it shall be his duty to order said list to be recorded, in a book to be kept for that purpose, by the clerk of his court. A correct list of the same shall be made out and certified to by such clerk, and delivered to the sheriff or tax-collector, who shall immediately advertise the same for sale (giving thirty days' notice) in a newspaper published in his county, if any, and if no newspaper is published in the county, then by printed or written handbills, posted in not less than three public places in each voting precinct in such county, and one at the door of the court-house in said county, and proceed to sell such tracts of land, city or town lots, or so much thereof as may be necessary to pay the taxes due thereon, together with all costs and damages, to the highest and best bidder, for cash in hand. Said sale to take place on the first day of a county court held in and for said county, at the court-house door.

§ 2. That it shall be the duty of each sheriff or tax-collector selling property under the provisions of the foregoing section of this act to deliver to each purchaser of property sold a certificate of purchase, and the amount paid by each He shall also make out a complete descriptive list of each piece of property sold by him, the amount it sold for, and the name of the purchaser, and return the same to the county judge, who shall immediately order said list to be recorded by the clerk of his court, in a separate book to be kept for that purpose.

§ 3. It shall be the duty of each sheriff or tax-collector to tax, as costs, for advertising, twenty-five cents on each list of property advertised by them, and the fees that may be due clerks for services rendered under the provisions of this act, which shall not exceed the amount now allowed by law for similar services, which said costs,

when collected, shall be paid over to the proper parties, in the same manner, and upon the same conditions, that other fees are collected by law, except that no sheriff or collector shall charge any commission for collecting said costs.

§ 4. The owner of any land, or town or city lot, sold under the provisions of this act, shall have two years within which to redeem the same, by paying the full amount of purchase money to the purchaser, or his, her, or their legal representative, with interest at the rate of twenty per cent. for sums under fifty dollars, and fifteen per cent. on sums of over fifty dollars for the first year, and ten per cent. for the second year: *Provided, however*, That minors and *femes covert* shall have two years in which to redeem lands owned by them after their legal disabilities are removed, by paying at above rates for the first year, and 10 per cent. per annum for each succeeding year.

§ 5 It shall be the duty of sheriffs or tax collectors, or whoever may succeed them as collectors of the revenue of the State in their respective counties, at the end of the time in which persons have the right to redeem property sold under the provisions of this act, and fail to redeem the same, to make a deed to the purchaser, or his lawful assignee, to the property so purchased by him; and said deed, when duly recorded, as now provided by law, in the clerk's office of the county in which the property lies, shall vest the grantee with the full title of the persons against whom taxes were assessed; should any officer fail or refuse to convey property as herein provided, it shall be the duty of the county judge in which the same lies, upon due and sufficient notice being given, to cause said conveyance to be made by a commissioner to be appointed by him for that purpose.

§ 6. It shall be the duty of the clerks of the several county courts in this Commonwealth to make out and certify to the Auditor of Public Accounts a complete list of all property advertised to be sold for non-payment of taxes, and all property sold for taxes, within thirty days after said lists are reported to him, and he shall receive for his services the same rate of fees allowed for copying assessor's books. It shall be the duty of the Auditor to report, by counties, annually, to the General Assembly, the number of acres of land and lots advertised to be sold, the amount of taxes due on the same, and also the number of lands and lots sold, and the amount paid on same, together with costs of sale.

§ 7. Any and all officers failing to perform the duties imposed upon them in this act shall be subject to a fine of fifty dollars for each offense, to be recovered on motion in the Franklin circuit court. The fines thus imposed, when collected, shall be paid into the Treasury to the credit of the revenue proper, and it shall be the duty of the Auditor to see that the provisions of this section of this act are enforced.

§ 8. All acts and parts of acts coming in conflict with this act are hereby repealed.

§ 9. The sheriff or collector of the State revenue, in each and every county of this Commonwealth, shall be required to keep of record, in his office, a duplicate tax receipt book, of all taxes collected by him for the State, and on failure to do so, such sheriff

or collector of the State revenue shall be liable to a fine of $500, to be recovered by motion in the county court of the county where said failure shall occur; and further, it shall be the duty of the county judge to require from the sheriff or revenue collector of his county a monthly statement from said duplicate tax receipt book, a true list of all State taxes thus collected, and said county judge shall certify said report, having first compared the same with said duplicate tax receipt book, to the Auditor of Public Accounts, countersigned by the sheriff or collector of the State revenue so reporting, and the said sheriff or revenue collector shall pay into the State Treasury all moneys so collected, commencing on the first day of August in each year, and every sixty days thereafter, until the whole amount of taxes for which he is bound shall have been fully paid into the State Treasury as now provided by law; and upon his failure to pay into the State Treasury any portion of the taxes or revenues of the State, as required by this act, he and his sureties shall be liable therefor, with ten per cent. per annum interest on the same, from the time it should have been paid into the Treasury until paid, together with ten per cent. damages, if not paid within thirty days after said settlement with the county judge, and to be proceeded against in the manner now prescribed by law.

§ 10. This act shall be in force from and after the first day of June, 1872.

The question was then taken on the adoption of the substitute by way of amendment proposed by Mr. Corbett, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffith and Corbett, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Wm. A. Hoskins, | J. S. Taylor, |
| G. W. Bailey, | T. J. Jones, | C. W. Threlkeld, |
| W. N. Beckham, | J. C. Moorman, | Harry I. Todd, |
| J. A. Bell, | John W. Ogilvie, | Joseph T. Tucker, |
| Church H. Blakey, | Julian N. Phelps, | C. H. Webb, |
| B. E. Cassilly, | W. L. Reeves, | J. M. White, |
| J. Guthrie Coke, | John Rowan, | Mordecai Williams, |
| Thomas H. Corbett, | John P. Rowlett, | F. A. Wilson, |
| John W. Dyer, | J. R. Sanders, | S. H. Woolfolk, |
| Joseph P. Foree, | C. C. Scales, | J. M. Wright—31. |
| Clinton Griffith, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | Josiah H. Combs, | G. W. Little, |
| R. Tarv. Baker, | R. L. Cooper, | Bryan S. McClure, |
| W. W. Baldwin, | J. E. Cosson, | Wm. J. McElroy, |
| Alpheus W. Bascom, | W. H. Evans, | J. L. Nall, |
| W. R. Bates, | James B. Fitzpatrick, | Mat. Nunan, |
| S. C. Bell, | C. D. Foote, | Lewis Potter, |
| Wm. F. Bond, | James Garnett, | Hiram S. Powell, |

| | | |
|---|---|---|
| W. B. M Brooks, | E A. Graves, | E. A. Robertson, |
| Thomas P. Cardwell, | C. P. Gray, | Wm. Sellers, |
| Robert M Carlisle, | E. Polk Johnson, | George M. Thomas, |
| John S. Carpenter, | T. M. Johnson, | T. W. Varnon, |
| James S. Chrisman, | L. W. Lassing, | E. F. Waide, |
| C. M. Clay, jr., | J. S. Lawson, | J. L. Waring—39. |

And so said amendment was rejected.

Mr. Chrisman then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Reeves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | R. L. Cooper, | Mat. Nunan, |
| A. C. Armstrong, | Thomas H. Corbett, | Julian N. Phelps, |
| W. R. Bates, | J. E. Cosson, | Hiram S. Powell, |
| S. C. Bell, | W. H Evans, | E. A. Robertson, |
| Church H. Blakey, | M. Woods Ferguson, | J. R. Sanders, |
| Wm. F. Bond, | James B. Fitzpatrick, | William Sellers, |
| W. B. M Brooks, | James Garnett, | George M. Thomas, |
| Thomas P. Cardwell, | E. A. Graves, | T. W. Varnon, |
| Robert M. Carlisle, | C. P. Gray, | E. F. Waide, |
| John S. Carpenter, | Bryan S. McClure, | J. L. Waring, |
| James S. Chrisman, | William J. McElroy, | Mordecai Williams, |
| C. M. Clay, jr., | T. J. Megibben, | J. M. White—38. |
| Josiah H. Combs, | J. L. Nall, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| G. W. Bailey, | Clinton Griffith, | C. C. Scales, |
| R. Tarv. Baker, | Wm. A. Hoskins, | J. S. Taylor, |
| W. W. Baldwin, | E. Polk Johnson, | C. W. Threlkeld, |
| Alpheus W. Bascom, | T. J. Jones, | Harry I. Todd, |
| W. N. Beckham, | G. W. Little, | L. W. Tratton, |
| John A. Bell, | J. C. Moorman, | Joseph T. Tucker, |
| B. E. Cassilly, | John W. Ogilvie, | C. H. Webb, |
| J. Guthrie Coke, | W. L. Reeves, | F. A. Wilson, |
| John W. Dyer, | John Rowan, | S. H. Woolfolk, |
| C. D. Foote, | John P. Rowlett, | J. M. Wright—31. |
| Joseph P. Foree, | | |

And so the main question was ordered.

The main question was then put, "Shall the bill be read a third time?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Waide and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | James S. Chrisman, | Wm. J. McElroy, |
| W. R. Bates, | C. M. Clay, jr., | T. J. Megibben, |

| | | |
|---|---|---|
| John A. Bell, | Josiah H. Combs, | J. L. Nall, |
| S. C. Bell, | R. L. Cooper, | Hiram S. Powell, |
| Wm. F. Bond, | J. E. Cosson, | E. A. Robertson, |
| W. B. M. Brooks, | W. H. Evans, | J. R. Sanders, |
| Thomas P. Cardwell, | James Garnett, | T. W. Varnon, |
| Robert M. Carlisle, | E. A. Graves, | E. F. Waide, |
| John S. Carpenter, | C. P. Gray, | J. L. Waring—27. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Joseph P. Foree, | John Rowan, |
| R. Tarv. Baker, | Clinton Griffith, | John P. Rowlett, |
| W. W. Baldwin, | Wm. A. Hoskins, | C. C. Scales, |
| Alpheus W. Bascom, | E. Polk Johnson, | Wm. Sellers, |
| W. N. Beckham, | Thos. M. Johnson, | J. S. Taylor, |
| Church H. Blakey, | T. J. Jones, | C. W. Threlkeld, |
| B. E. Cassilly, | L. W. Lassing, | Harry I. Todd, |
| J. Guthrie Coke, | G. W. Little, | L. W. Trafton, |
| Thomas H. Corbett, | Bryan S. McClure, | Joseph T. Tucker, |
| W. W. Deaderick, | J. C. Moorman, | C. H. Webb, |
| John W. Dyer, | John W. Ogilvie, | J. M. White, |
| M. Woods Ferguson, | Julian N. Phelps, | S. H. Woolfolk, |
| C. D. Foote, | W. L. Reeves, | J. M. Wright—39. |

And so said bill was disagreed to.

The House then took up the motion heretofore made to reconsider the vote by which this House refused to order to a third reading, and thereby rejected, a bill, entitled

A bill to amend an act, approved March 2, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses.'"

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reeves, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court, and with the Jefferson court of common pleas, and to provide a room and offices for his court,

Reported the same without amendment.

On motion of Mr. Coke,

*Ordered*, That the consideration of said bill be postponed to, and made the special order of the day for, to-morrow, at 10 o'clock, A. M.

The House then took up the amendments proposed by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Owingsville Cemetery Company.

An act in aid of the construction of a levee on the Mississippi river, in Fulton county.

An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

Said amendments were severally concurred in.

Mr. Baldwin, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act for the benefit of William S. Allen, sheriff of Breathitt county,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

And the question being put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was disagreed to.

The House took up for further consideration a bill, entitled

A bill to protect the interest of the State in turnpike roads and bridges.

On motion of Mr. Chrisman,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, Monday, the 25th inst., at 10 o'clock, A. M.

Mr. Trafton, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act for the benefit of the county judge of Henry county,

Reported the same without amendment.

*Ordered*, That said bill be placed in the orders of the day.

Mr. Trafton, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill directing the county clerks of this Commonwealth to keep a record of the license issued by them which authorize the standing of stallions, jacks, and bulls.

Which was read the first time and ordered to be read a second time.

Said bill was then read a second time.

The question was then taken, "Shall the bill be read a third time?" and it was decided in the negative.

And so said bill was rejected.

Mr. Trafton, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act to require county clerks to report to the Auditor the indebtedness of their respective counties,

Reported the same without amendment.

The question being taken on ordering the bill to be read a third time, it was decided in the negative.

And so said bill was disagreed to.

Mr. Thomas, from the Committee on the Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to regulate the time of holding circuit courts in the 14th judicial district,

Reported the same, with a substitute therefor by way of amendment.

Said amendment was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Griffith, from the Committee on Claims, who originated the same, reported

A bill to appropriate money.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed, and that the consideration of the same be postponed to, and made the special order of the day for, to-morrow, at 10½ o'clock, A. M.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Baldwin, from the Committee on Ways and Means—

An act to amend an act, entitled "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 2, 1865.

By same—

An act for the benefit of Alderson T. Keene, sheriff of Cumberland county.

By Mr. Trafton, from the Committee on County Courts—

An act authorizing the clerk of the Boyd circuit court to procure a general cross-index, and to index and cross-index all equity and common law suits of the docket on file in his office.

By Mr. Wright, from the Committee on the Revised Statutes—

An act to amend the 3d section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

By same—

An act to amend section 29, chapter 103, Revised Statutes.

By same—

An act to amend an act, entitled "An act for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

By Mr. Garnett, from the same committee—

An act to amend section 1, article 21, chapter 28, of the Revised Statutes.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Foote, from the Committee on County Courts—

A bill to amend the charter of the city of Ludlow.

By Mr. Trafton, from the same committee—

A bill to amend an act to authorize commissioners to sell the poor-house farm of Henry county.

By Mr. Wright, from the Committee on the Revised Statutes—

A bill to amend an act chartering the Muldrow's Hill and Columbia Turnpike Road Company.

By same—

A bill authorizing the Auditor to remit damages on delinquent property.

By Mr. Tucker, from the same committee—

A bill to amend the charter of the city of Covington.

By same—

A bill for the benefit of the Hillsboro and Wyoming Turnpike Road Company, in Fleming county.

By same—

A bill to amend the charter of the Elizaville and Fairview Turnpike Road, in Fleming county.

By same—

A bill to incorporate the Frankfort Building and Loan Association.

By Mr. Garnett, from the same committee—

A bill to authorize Glasgow Lodge, No. 65, Independent Order of Odd Fellows, to issue bonds and buy a lot of land.

By same—

A bill to provide for the building of turnpike roads in Adair county.

By same—

A bill for the benefit of Daniel Lewis, of Adair county.

By same—

A bill to amend the act incorporating the town of Quincy, in Lewis county, extending the limits of said town, and prohibiting the sale of spirituous, vinous, or malt liquors, and for other purposes.

By Mr. Thomas, from the same committee—

A bill to amend an act, entitled "An act to amend an act, entitled 'An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company.'"

By same—

A bill in relation to the collection of the turnpike road tax in Lewis county.

By same—

A bill for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery counties.

By Mr. Garnett, from the same committee—

A bill to amend an act, entitled "An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company," approved March 14, 1871.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act changing the time of holding the February term of the Franklin circuit court.

An act for the benefit of John D. Boyes, of Magoffin county.

An act to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company.

An act to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association.

An act to regulate the terms of the Boyle county quarterly court.

An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15, 1868.

An act for the benefit of Henry C. Lucas, of Russell county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Lincoln county.'"

An act submitting to the qualified voters of Josh Bell county the question of prohibiting the sale of spirituous liquors in said county.

An act to prohibit the sale of intoxicating liquors in Pulaski county.

An act to amend the charter of the Smithfield and Shelbyville Turnpike Road Company.

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

An act to amend the charter of the Lowell and Spoonsville Turnpike Road Company, approved February 1, 1868.

An act for the benefit of the citizens of Garrard county.

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond."

An act for the benefit of turnpike roads in Scott county.

An act to amend an act, entitled "An act to incorporate the German Insurance Company."

An act to incorporate the Scuffletown Fence Company.

Resolution for the benefit of B. E. Woodworth.

Mr. Fitzpatrick, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 3, of chapter 102, of the Revised Statutes, title "Treasury Warrant Claims."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Combs offered an amendment thereto.

Mr. Cardwell offered an amendment to the amendment.

Pending discussion thereon, the House adjourned.

Mr. Baker, on the call of the yeas and nays on yesterday, on a bill that originated in the Senate, entitled "An act to amend the charter of the city of Lexington," voted in the affirmative at the conclusion of the call. He states that he did so for the purpose of moving a reconsideration of the vote by which said bill passed; and obtained the unanimous consent of the House to change his vote to the negative, to accord to the position he assumed on the bill when under consideration.

## SATURDAY, MARCH 23, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Lawrence county court to levy an ad valorem and per capita tax for county purposes.

An act to amend an act, entitled "An act to transcribe the surveyor's books and records of Cumberland county."

An act for the benefit of the county court of Meade county.

An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth."

An act to provide for indexing deed-books in Caldwell county.

An act for the benefit of James Rhea Boyd.

An act to extend the time of collecting the fee bills of E. H. Logan, late clerk of the Rowan county and circuit courts.

An act to repeal an act, entitled "An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant."

An act legalizing certain proceedings of the Owen county court.

An act for the benefit of Dillion Asher, jailer of Josh Bell county.

An act to define and locate the county line beween the counties of Elliott and Rowan.

An act to change the time of holding the Estill quarterly court.

An act to authorize the Casey county court to increase the county levy in said county.

An act requiring the Jefferson county court to appoint a measurer of tan-bark for said county.

An act for the benefit of Boone county.

An act legalizing certain proceedings of the Boone county court.

An act to authorize the Warren and Hickman county courts to submit the question of the adoption of an act amending the law in relation to roads, passed 17th day of February, 1866, to the voters of said counties.

An act to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company.

An act to amend and explain an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.'"

An act for the benefit of W. S. Hicks, sheriff of Henderson county, and his sureties.

An act to prevent the destruction of fish in Mercer county.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to change the county line between the counties of Owsley and Lee.

An act to require the State Librarian to furnish stationery to the Court of Appeals.

An act to prohibit the floating or running logs, wood, or other timber, down the Licking river without rafting the same.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act legalizing certain orders of the Mercer county court.

An act to incorporate the Hartford, Calhoon, and Morganfield Railroad Company.

An act for the benefit of Farish Arnett, sheriff of Magoffin county.

An act for the benefit of Amos Davis, sheriff of Morgan county.

An act to amend an act, entitled "An act to require the county courts to have one or more fire-proof vaults for the safe-keeping of the public records in their respective counties."

An act to authorize the members of the bar of the Kenton county court to elect a special judge.

An act to exempt Pulaski and Clinton counties from the provisions and requirements of an act approved 11th February, 1867.

An act authorizing the Carter county court to appoint a commissioner and receiver of the funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company.

An act to require the clerk of the Kenton county court to make a cross-index of deeds and mortgages recorded at Covington.

An act to authorize the city of Henderson to issue bonds for railroad purposes.

An act for the benefit of Lewis Plummer, jailer of Lewis county.

An act to provide for the payment of the expenses incurred in taking care of a pauper lunatic.

An act for the benefit of Webster county.

An act to confer upon the town marshal of Parksville, Boyle county, the rights, duties, and powers of constables in civil cases.

An act for the benefit of Wm. Risner and Chas. Menix, sureties of Stephen Howard, sheriff of Magoffin county.

An act amending an act incorporating the Paducah Savings Bank.

With amendments to the last four named bills.

That they had concurred in the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Ohio Valley Railroad Company.

An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 22, 1871.

An act to incorporate the Westport, Carrollton, and Ghent Railroad Company.

And that they had passed bills of the following titles, viz:

1. An act to increase the salary of the chief clerk of the Land Office.

2. An act to amend the charter of the town of Midway.

3. An act for the benefit of William Adams and son, of Magoffin county.

4. An act for the benefit of A. Q. Baker, late sheriff of Boone county.

5. An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company."

6. An act to amend section 96 of the charter of the city of Louisville.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on Public Offices; the 2d to the Committee on Corporate Institutions; the 3d to the Committee on Propositions and Grievances; the 4th to the Committee on Ways and Means; the 5th to the Committee on Railroads; and the 6th to the Committee on the Revised Statutes.

On motion of Mr. Graves, the House took up the motion to reconsider the vote by which this House passed a bill from the Senate, entitled

An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

Mr. Waide moved to lay the motion to reconsider on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Moorman and Foote, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. H. Evans, | John W. Ogilvie, |
| A. C. Armstrong, | M. Woods Ferguson, | Julian N. Phelps, |
| W. W. Ayers, | James Garnett, | Lewis Potter, |
| G. W. Bailey, | Wm. Cassius Goodloe, | Hiram S. Powell, |
| R. Tarv. Baker, | E. A. Graves, | E. A. Robertson, |
| W. W. Baldwin, | C. P. Gray, | John Rowan, |
| John A. Bell, | Wm. A. Hoskins, | J. P. Sacksteder, |
| S. C. Bell, | George M. Jessee, | J. R. Sanders, |
| Church H. Blakey, | E. Polk Johnson, | Samuel M. Sanders, |
| Wm. F. Bond, | T M. Johnson, | Wm. Sellers, |
| W. B. M. Brooks, | J. S. Lawson, | George M. Thomas, |
| Thomas P. Cardwell, | J. A. McCampbell, | C. W. Threlkeld, |
| John S. Carpenter, | Bryan S. McClure, | T. W. Varnon, |
| B. E. Cassilly, | William J. McElroy, | E. F. Waide, |
| James S. Chrisman, | M. E. McKenzie, | J. L. Waring, |
| J. Guthrie Coke, | T. J. Megibben, | C. H. Webb, |
| Josiah H. Combs, | J. L. Nall, | J. M. White, |
| R. L. Cooper, | Mat. Nunan, | F. A. Wilson—54. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Robert M. Carlisle, | Clinton Griffith, | J. S. Taylor, |
| Thomas H. Corbett, | L. W. Lassing, | Harry I. Todd, |
| John W. Dyer, | G. W. Little, | Joseph T. Tucker, |
| C. D. Foote, | J. C. Moorman, | S. H. Woolfolk—12. |

Said bill was thereupon reported to the Senate.

On motion, leave of absence, indefinitely, was granted to Messrs. Reeves and Carter.

On motion, Mr. Davidson was appointed to wait upon the Senate, and ask leave to withdraw therefrom the announcement of the disagreement by this House to a bill from the Senate, entitled

An act for the benefit of William S. Allen, sheriff of Breathitt county.

A message was received from the Senate, asking leave to withdraw from this House the announcement of their disagreement to a bill, which originated in this House, entitled

An act to incorporate the St. Augustine Cemetery, near Lebanon, Marion county.

And also the announcement of their passage of a bill, which originated in this House, entitled

An act to amend the charter of the Commonwealth Insurance Company, of Kentucky.

Which was granted.

Mr. Corbett, from the select committee who were directed to inquire and report upon the amount of business pending and undisposed of before this General Assembly, made the following report, viz:

The undersigned committee, appointed by the Speaker of the House of Representatives, to inquire into and ascertain how much business there is before the Legislature that has not been acted on, respectfully report, that there are in the orders of the day and special orders, not acted on, sixty-three bills; that there are one hundred and eighty-four House bills in the Senate that have not been acted on, and that there are in the hands of the committees, from the best information that the committee can obtain, over one hundred and fifty bills and leaves that have not been acted upon and reported; that some of the most important bills now pending, to-wit: the bills in relation to the revenue, the school bill, the bill to suppress lawlessness, the asylum bill, cannot be acted upon, giving each that consideration that they deserve, by the 26th inst., the time fixed for the adjournment.

There are in the hands of the Committee on Banks a very important bill, which has passed the Senate, and has not been acted upon by the committee, which is an act, entitled "An act to provide for the organization and regulation of banking companies." This is an important bill, and will require some time to act upon it; also the Congressional ballot bill, and registration bill, still pending, not acted upon.

Your committee will further report, that as soon as the revisers of the Statutes and Codes of Practice complete their labors, the Legislature should examine the same, and adopt or reject them.

The committee, after having advised and consulted with the best legal minds in the city of Frankfort, are of the opinion that the enumeration of the qualified voters can only be done in 1873.

Taking into consideration all of these facts, together with the fact that the Legislature of Kentucky has met every year since she was admitted into the Union, except four, the necessities for annual meetings of the Legislature are greater now than they ever have been. The committee therefore recommend that this General As-

sembly adjourn on the 26th instant, to meet again on the 7th day of January, 1873.

THOS. H. CORBETT,
H. S. POWELL,
CHAS. D. FOOTE,
JOSEPH M. DAVIDSON.

The House took up the amendments proposed by the Senate, to bills which originated in this House, of the following titles, viz:

An act to charter the Deposit Bank of Mt. Sterling.

An act for the benefit of Maggie G. Roberts, of Montgomery county.

An act for the benefit of A. S. Arnold, late sheriff of Hickman county.

An act amending an act incorporating the Paducah Savings Bank.

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

Said amendments were severally concurred in.

Mr. Chrisman moved to reconsider the vote by which the amendment to the last named bill was concurred in.

Mr. Blackburn moved to lay the motion of Mr. Chrisman on the table.

And the question being taken on the motion of Mr. Blackburn, it was decided in the affirmative.

And so the motion to reconsider the vote by which said amendment was adopted was laid on the table.

According to order, the House took up and resumed the consideration of a bill from the Senate, entitled

An act to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court and with the Jefferson court of common pleas, and to provide a room and offices for his court.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky.* There shall be elected at the next general election, by the qualified voters of Jefferson county, and every six years thereafter, a vice chancellor of the Louisville chancery court, who shall hold his office for the term of six years, and shall receive the same compensation, and have the same qualifications, as the chancellor of said court; and all laws of the State, or ordinances of the common

council of the city of Louisville, in relation to the compensation of the chancellor, shall apply equally to the compensation of the vice chancellor.

§ 2. It shall be the duty of said vice chancellor to discharge the duties of chancellor in the absence of the chancellor, or in case of his incapacity, from any reason, to sit in any cause; and also to hear and determine any other causes or questions which may be assigned to him by the chancellor. He shall in nowise interfere with or change the rules of said court, but shall be governed by them.

§ 3. In the absence of the judge of the Jefferson court of common pleas, it shall be competent for said vice chancellor to hold the court in place of said judge; and all orders and proceedings, trials and judgments, before him, shall be as valid as if done before the judge of said court; or when such judge is incapacitated to try any cause, it shall be the duty of the vice chancellor to assume jurisdiction of and try such cause.

§ 4. Whenever the said court of common pleas shall fall so far behind the trial docket as, in the opinion of the judge thereof, it shall be deemed expedient and necessary so to do, then it shall be the duty of the clerk of said court to notify the vice chancellor of the fact; and thereupon it shall be the duty of the vice chancellor to open court, and hold the same for the trial of all causes, the day of trial for which has been reached; and such court of such vice chancellor shall be held for such purpose so long as the said court of common pleas shall continue behind its docket.

§ 5. It shall be the duty of the officers having charge of the court-house in Louisville to provide and furnish an appropriate room in the court-house for the court of the vice chancellor, to be paid for as other expenses of the court-house are paid for by the city of Louisville and the county of Jefferson. And the sheriff and clerk of the Jefferson court of common pleas, and the marshal and clerk of the Louisville chancery court, shall furnish proper deputies for said court, accordingly as the same may be sitting as a chancery court or court of common pleas. Whenever the services of a jury are required by such vice chancellor sitting as a common pleas judgh, the unimployed juries of the common pleas court shall serve as such, and all vacancies in the pannel be filled according to the practice of said court.

§ 6. No action, finding, or decision of the judge of the Jefferson court of common pleas, or of the chancellor of the Louisville chancery court, in any cause, shall be set aside, annulled, or modified, by the vice chancellor, nor shall any action, finding, or decision of the vice chancellor, be set aside, annulled, or modified, by the chancellor, or by the judge of the Jefferson court of common pleas. New trials can be granted only by that one of the three judges before whom the trial was had, so long as such judge remains in office.

§ 7. It shall not be necessary, in any case, for the record to show that the vice chancellor had jurisdiction of any cause tried before him in either court; but his jurisdiction shall be conclusively presumed if the court in which he officiated had jurisdiction as a court to try the cause.

§ 8. Whenever the chancellor and vice chancellor are both absent, or both incapacitated for any reason to sit in any cause, then a special chancellor shall be elected as provided by existing laws.

§ 9. This act shall take effect and be in force from and after its pas-age; and until the next general election the vacancy existing, as well as all vacancies hereafter occurring, shall be filled by appointment by the Governor.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| A. C. Armstrong, | W. W. Deaderick, | John W. Ogilvie, |
| W. W. Ayers, | John W. Dyer, | Lewis Potter, |
| R. Tarv. Baker, | W. H. Evans, | Hiram S. Powell, |
| W. W. Baldwin, | James B. Fitzpatrick, | J. P. Sacksteder, |
| W. R. Bates, | C. D. Foote, | J. R. Sanders, |
| W. N. Beckham, | Joseph P. Foree, | C. C. Scales, |
| John A. Bell, | James Garnett, | William Sellers, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | William Tarlton, |
| Church H. Blakey, | E. A. Graves, | G. M. Thomas, |
| Wm. F. Bond, | Clinton Griffith, | Harry I. Todd, |
| W. B. M. Brooks, | Wm. A. Hoskins, | L. W. Trafton, |
| Thomas P. Cardwell, | E. Polk Johnson, | Joseph T. Tucker, |
| John S. Carpenter, | L. W. Lassing, | T. W. Varnon, |
| B. E. Cassilly, | G. W. Little, | E. F. Waide, |
| C. M. Clay, jr., | J. A. McCampbell, | J. L. Waring, |
| J. Guthrie Coke, | Wm. J. McElroy, | C. H. Webb, |
| Josiah H. Combs, | M. E. McKenzie, | Mordecai Williams, |
| R. L. Cooper, | T. J. Megibben, | F. A. Wilson, |
| Thomas H. Corbett, | J. L. Nall, | J. M. Wright—59. |
| Joseph M. Davidson, | Mat. Nunan, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | M Woods Ferguson, | E. A. Robertson, |
| G. W. Bailey, | C. P. Gray, | John Rowan, |
| Alpheus W. Bascom, | Thos. M. Johnson, | John P. Rowlett, |
| S. C. Bell, | Bryan S. McClure, | Samuel M. Sanders, |
| Robert M. Carlisle, | J. C. Moorman, | J. S. Taylor, |
| James S. Chrisman, | Julian N. Phelps, | J. M. White—19. |
| J. E. Cosson, | | |

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE OFFICE,
FRANKFORT, March 22, 1872.

*Gentlemen of the Senate and House of Representatives:*

I herewith transmit to you a communication addressed to me in reference to procedure, under an act of Congress, making provision

for "extending the triangulation of the coast survey, so as to form a geodetic connection between the Atlantic and Pacific coasts of the United States."

You will perceive from the communication that the determination of geographical positions has been already commenced in the State of Kentucky, and it is expected that, during the present year, the triangulation can be entered on.

I recommend that the Legislature pass an act granting the rights and protection necessary to the successful prosecution of the enterprise, and for information as to the facilities required. I also transmit a copy of an act passed by the State of Connecticut relating to the coast survey.

Respectfully,

P. H. LESLIE.

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WASHINGTON CITY, D. C., December 27, 1871.

*To the* HON. P. H. LESLIE, *Governor of the State of Kentucky:*

SIR: In the "Act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1872, and for other purposes," passed by Congress and approved by the President 1871, the following paragraph occurs under the head of survey of the coast:

"For extending the triangulation of the coast survey, so as to form a geodetic connection between the Atlantic and Pacific coasts of the United States, including compensation of civilians engaged in the work, per act of March 3d, 1843: *Provided*, That the triangulation shall determine points in each State of the Union which shall make requisite provision for its own topographical and geological surveys."

Under the above authority the determination of geographical positions has been already commenced in Kentucky, and it is hoped that before the next meeting of the Legislature the triangulation will be started.

The assistants in the survey, who may be employed on this duty, must necessarily have the right to enter upon private lands, erect signals, and secure the stations for future use, either for national or State purposes; and I have, therefore, the honor to request that you would recommend to the Legislature of Kentucky the passage, at its present session, of a law similar to the laws passed by the seaboard States for the protection of the signals and stations of the triangulation and of the officers engaged in its execution, and for the assessment of damages in case of disagreement as to the extent of the

injury which may be occasionally and unavoidably done to private property during the progress of the work.

I have the honor to be,
Very respectfully,
Your obedient servant,
RICH'D D. CUTTS,
*Assistant in charge Secondary Triang'n.*

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At a General Assembly of the State of Connecticut, holden at Hartford, in said State, on the first Monday of May, in the year of our Lord one thousand eight hundred and sixty-one:

AN ACT relating to the Survey of the Coast, and to the operations connected therewith, in the State of Connecticut.

§ 1. *Be it enacted by the Senate and House of Representatives in General Assembly convened*, Persons employed under an act of the Congress of the United States, passed the tenth day of February, in the year eighteen hundred and seven, and the supplements thereto, may enter upon lands within the State for any purpose which may be necessary to effect the objects of said act, and the supplements thereto; and may erect works, stations, buildings, or appendages for that purpose, doing no unnecessary injury.

§ 2. If the parties interested cannot agree upon the amount to be paid for damages caused thereby, either of them may petition the county commissioners of the county in which the land lies, who shall appoint a time for a hearing as soon as may be, and order at least fourteen days' notice to all persons interested, and with or without a view of the premises, as they may determine, hear the parties and their witnesses, and assess the damages.

§ 3. The county commissioners shall file, in the office of the clerk of the superior court of the county in which the land is situated, a report of their doings, which shall be conclusive, unless one of the parties shall, within thirty days after filing of such report, file a petition to said court for a new hearing, to be had in such superior court; in which case, after such notice of such petition to the opposite party, as the said superior court, if in session, or if in vacation, as any judge thereof, or of the supreme court, or any county commissioner of the county in which such petition is pending, shall direct, a trial shall be had in said court in the same manner as other civil actions are tried; and such hearing shall take precedence of all other civil actions.

§ 4. The persons so entering upon land may tender to the party injured amends therefor; and if the damages finally assessed do not exceed the amount tendered, the person entering shall recover costs, otherwise the prevailing party shall recover costs.

§ 5. The costs to be taxed and allowed in all such cases, either before the county commissioners or the superior court, shall be the same as are ordinarily taxed according to the rules and practice in the superior court.

§ 6 Whoever willfully injures, defaces, or removes any signal, monument, building, or appendage thereto, erected, used, or constructed under said act of Congress, shall forfeit the sum of fifty dollars for each offense, and shall be liable for damages sustained by the United States, to be recovered in an action of tort.

Approved June 5th, 1861.

STATE OF CONNECTICUT, *ss:*

OFFICE OF SECRETARY OF STATE.

I hereby certify that the foregoing is a true copy of record in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said State, at Hartford, this 6th day of June, A. D. 1861.

[Copy.] J. H. TRUMBULL,

*Secretary of State.*

*Ordered*, That said message be referred to a select committee, consisting of Messrs. Blackburn, Chrisman, and Armstrong.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to extend the corporate limits of the city of Newport.

An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved 22d March, 1871.

The rule requiring their reference to a committee being suspended, said bills were taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

According to order, the House took up and proceeded to consider a bill from the Senate, entitled

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

Mr. Tucker offered the following substitute by way of amendment to said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Elizabethtown, Lexington, and Big Sandy Railroad Company, a corporation legally incorporated and organized

under the laws of this Commonwealth, and now existing therein, and the Chesapeake and Ohio Railroad Company, a corporation legally incorporated and organized under the laws of Virginia and West Virginia, and now existing therein, be, and each of them hereby is, authorized, as a part of its line of railroad, to build and work a railroad bridge across the Big Sandy river at or within one mile and a half of its mouth: *Provided*, That if the chief engineer of the Elizabethtown, Lexington, and Big Sandy Railroad Company shall certify upon oath, before any circuit court judge in this State, that it is impracticable to cross the said river within the specified distance, having reference to the best line for commerce and travel, and a connection with the Chesapeake and Ohio Railroad, then said bridge shall be built across said river at the nearest point to the town of Catlettsburg that the said engineer may report to be the most suitable within the limits of the original charter of the company.

§ 2. That said Elizabethtown, Lexington, and Big Sandy Railroad Company shall erect and maintain a well constructed depot for passengers and freight, at or near the terminus of said bridge, on the Kentucky side of said river.

§ 3. This act shall take effect and be in force from and after its passage.

The question was then taken on the adoption of the amendment proposed by Mr. Tucker as a substitute for said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tucker and Williams, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | J. Guthrie Coke, | Lewis Potter, |
| G. W. Bailey, | Joseph M. Davidson, | Hiram S. Powell, |
| R. Tarv. Baker, | W. W. Deaderick, | John Rowan, |
| W. W. Baldwin, | James Garnett, | John P. Rowlett, |
| W. N. Beckham, | Wm. Cassius Goodloe, | J. P. Sacksteder, |
| J. A. Bell, | E A. Graves, | J. R. Sanders, |
| S C. Bell, | C. P. Gray, | James W. Snyder, |
| J. C. S. Blackburn, | Clinton Griffith, | C. W. Threlkeld, |
| Church H. Blakey, | E. Polk Johnson, | L. W. Tratton, |
| Wm. F. Bond, | T. M. Johnson, | Joseph T. Tucker, |
| W. B. M Brooks, | J. A. McCampbell, | T. W. Varnon, |
| Robert M Carlisle, | Wm. J. McElroy, | E. F. Waide, |
| B. E. Cassilly, | T. J. Megibben, | F. A. Wilson, |
| James S. Chrisman, | Mat. Nunan, | J. M. Wright—43. |
| C. M. Clay, jr., | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | C. D. Foote, | Julian N. Phelps, |
| W. W. Ayers, | Joseph P. Foree, | E. A. Robertson, |
| Alpheus W. Bascom, | Wm. A. Hoskins, | C. C. Scales, |
| Thomas P. Cardwell, | L. W. Lassing, | Wm. Sellers, |

| | | |
|---|---|---|
| Josiah H. Combs, | J. S. Lawson, | J. S. Taylor, |
| R. L. Cooper, | G. W. Little, | George M. Thomas, |
| Thomas H. Corbett, | Bryan S. McClure, | Harry I. Todd, |
| J. E. Cosson, | M. E. McKenzie, | J. L. Waring, |
| W. H. Evans, | J. C. Moorman, | C H. Webb, |
| M. Woods Ferguson, | J. L. Nall, | Mordecai Williams, |
| James B. Fitzpatrick, | John W. Ogilvie, | J. M. White—33. |

And so said amendment was adopted.

Mr. E. Polk Johnson then moved to reconsider the vote by which said amendment was adopted.

Mr. Tucker moved to lay Mr. Johnson's motion on the table.

Pending consideration thereof, the hour for recess arrived, and the same was postponed.

The House then took up the unfinished order of yesterday, viz:

A bill to amend section 3, of chapter 102, of the Revised Statutes, title "Treasury Warrant Claims."

The amendment to the amendment offered yesterday was adopted.

The amendment was also adopted.

Amendments were also offered by Messrs. W. H. Evans, Robertson, and Little, which were severally adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Todd read and laid on the table the following preamble and joint resolution, viz:

WHEREAS, A resolution was adopted by this General Assembly, approved February 18th, 1869, directing the Governor to cause an appropriate monument to be erected over the remains of Charles S. Morehead, formerly Governor of Kentucky, in the cemetery near Frankfort; and whereas, by some oversight or mistake the yeas and nays were not called on the passage of said resolution, as required by the Constitution, and in consequence of which the Governor did not have said monument erected; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Governor of Kentucky be authorized and directed to cause a suitable and appropriate monument to be erected over the remains of Charles S. Morehead, formerly Governor of Kentucky, in the cemetery near Frankfort; and that it shall be the duty of the Auditor of Public Accounts to draw his warrant on the Treasurer for the amount of the cost of said monument when it shall be completed, and the Governor shall certify to him the cost of the same.

On motion of Mr. Todd, the rule requiring the same to lie on the table one day was suspended, and the said preamble and joint resolution were taken up, and twice read.

The question was then taken on the adoption thereof, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | John W. Dyer, | Hiram S. Powell, |
| A. C. Armstrong, | James B. Fitzpatrick, | E. A. Robertson, |
| G. W. Bailey, | C. D. Foote, | John Rowan, |
| R. Tarv. Baker, | James Garnett, | J. R. Sanders, |
| W. W. Baldwin, | E. A. Graves, | Samuel M. Sanders, |
| Alpheus W. Bascom, | C. P. Gray, | C. C. Scales, |
| W. R. Bates, | Clinton Griffith, | William Sellers, |
| W. N. Beckham, | Wm. A. Hoskins, | James W. Snyder, |
| John A. Bell, | George M. Jessee, | J. S. Taylor, |
| S. C. Bell, | E. Polk Johnson, | C. W. Threlkeld, |
| J. C. S. Blackburn, | T. M. Johnson, | Harry I. Todd, |
| Church H. Blakey, | L. W. Lassing, | L. W. Tratton, |
| Wm. F. Bond, | J. S. Lawson, | Joseph T. Tucker, |
| W. B. M. Brooks, | M. E. McKenzie, | T. W. Varnon, |
| Robert M. Carlisle, | T. J. Megibben, | J. L. Waring, |
| Josiah H. Combs, | J. C. Moorman, | C. H. Webb, |
| R. L. Cooper, | J. L. Nall, | J. M. White, |
| Thomas H. Corbett, | Mat. Nunan, | F. A. Wilson, |
| J. E. Cosson, | Julian N. Phelps, | S. H. Woolfolk, |
| W. W. Deaderick, | Lewis Potter, | J. M. Wright—60. |

Those who voted in the negative, were—

Bryan S. McClure, William J. McElroy, George M. Thomas—3.

Mr. Todd, from the Committee on Public Offices, to whom was referred a bill from the Senate, entitled

An act to provide a private secretary for the Governor,

Reported the same without amendment, and without expression of opinion thereon.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth be, and he is hereby, allowed to employ and have a private secretary to assist him in the labors of his office. The salary of said private secretary shall not exceed twelve hundred dollars per annum, and shall be payable out of the Treasury monthly, as the salaries of other public officers. The Governor shall be responsible for all the official acts of his said private secretary.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, but not having received a constitutional majority, it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. W. Deaderick, | Mat. Nunan, |
| A. C. Armstrong, | John W. Dyer, | Lewis Potter, |
| R. Tarv. Baker, | James B. Fitzpatrick, | E. A. Robertson, |
| W. W. Baldwin, | C. D. Foote, | J. R. Sanders, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. N. Beckham, | E. A. Graves, | James W. Snyder, |
| John A. Bell, | C. P. Gray, | J. S. Taylor, |
| J. C. S. Blackburn, | Clinton Griffith, | Harry I. Todd, |
| Wm. F. Bond, | E. Polk Johnson, | Joseph T. Tucker, |
| W. B. M. Brooks, | T. M. Johnson, | T. W. Varnon, |
| James S. Chrisman, | J. S. Lawson, | J. L. Waring, |
| C. M. Clay, jr., | M. E. McKenzie, | F. A. Wilson, |
| R. L. Cooper, | T. J. Megibben, | J. M. Wright—40. |
| Joseph M. Davidson, | J. L. Nail, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | James Garnett, | Samuel M. Sanders, |
| G. W. Bailey, | Wm. A. Hoskins, | William Sellers, |
| W. R. Bates, | L. W. Lassing, | George M. Thomas, |
| S. C. Bell, | Bryan S. McClure, | C. W. Threlkeld, |
| Church H. Blakey, | William J. McElroy, | L. W. Trafton, |
| Robert M. Carlisle, | J. C. Moorman, | C. H. Webb, |
| Josiah H. Combs, | Julian N. Phelps, | J. M. White, |
| Thomas H. Corbett, | Hiram S. Powell, | S. H. Woolfolk—26. |
| W. H. Evans, | John Rowan, | |

Mr. Waring, from the Committee on Privileges and Elections, who were directed to prepare and bring in the same, reported

A bill for the benefit of Trimble county.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to issue his warrant on the Treasury for the sum of $175, to be paid out of any money not otherwise appropriated, for the benefit of the county of Trimble, for keeping Thomas Jenkins, a

pauper lunatic, from the 18th day of April, 1871, to the 10th day of February, 1872, in the poor-house of said county.

§ 2. That the sheriff of said county be authorized to draw said money, and the same to be accounted for as the county levy is now accounted for.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | John W. Dyer, | Lewis Potter, |
| A. C. Armstrong, | W. H. Evans, | Hiram S. Powell, |
| W. W. Ayers, | James B. Fitzpatrick, | E. A. Robertson, |
| R. Tarv. Baker, | C. D. Foote, | John Rowan, |
| W. W. Baldwin, | James Garnett, | J. R. Sanders, |
| Alpheus W. Bascom, | E. A. Graves, | Samuel M. Sanders, |
| W. R. Bates, | C. P. Gray, | C. C. Scales, |
| W. N. Beckham, | Clinton Griffith, | Wm. Sellers, |
| John A. Bell, | Wm. A. Hoskins, | James W. Snyder, |
| S. C. Bell, | E. Polk Johnson, | J. S. Taylor, |
| J. C. S. Blackburn, | T. M. Johnson, | George M. Thomas, |
| Church H. Blakey, | L. W. Lassing, | C. W. Threlkeld, |
| W. B. M. Brooks, | J. S. Lawson, | Harry I. Todd, |
| Thomas P. Cardwell, | G. W. Little, | L. W. Trafton, |
| Robert M. Carlisle, | Wm. J. McElroy, | Joseph T. Tucker, |
| James S. Chrisman, | M. E. McKenzie, | T. W. Varnon, |
| C. M. Clay, jr., | T. J. Megibben, | J. L. Waring, |
| Josiah H. Combs, | J. C. Moorman, | J. M. White, |
| R. L. Cooper, | J. L. Nall, | S. H. Woolfolk, |
| Thomas H. Corbett, | Mat. Nunan, | J. M. Wright—62. |
| Joseph M. Davidson, | Julian N. Phelps, | |

In the negative, Bryan S. McClure—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful for any person or persons to engage in any deer-drive, hunt, or chase, with a dog or dogs, in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson; and any person violating the provisions of this act may be fined in any court having competent jurisdiction in a sum not less than twenty dollars nor more than fifty dollars.

§ 2. That any person or persons who shall first have obtained the consent of the owner or owners of any lands over which they may drive, hunt, or chase deer, are hereby exempted from the provisions of this act.

§ 3. That all fines recovered under the provisions of this act shall be paid into the State Treasury.

§ 4. That this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James B. Fitzpatrick, | J. R. Sanders, |
| A. C. Armstrong, | Clinton Griffith, | Samuel M. Sanders, |
| R. Tarv. Baker, | Wm. A. Hoskins, | C. C. Scales, |
| W. W. Baldwin, | E. Polk Johnson, | Wm. Sellers, |
| Alpheus W. Bascom, | Thos. M. Johnson, | James W. Snyder, |
| W. R. Bates, | L. W. Lassing, | J. S. Taylor, |
| W. N. Beckham, | J. S. Lawson, | George M. Thomas, |
| S. C. Bell, | G. W. Little, | C. W. Threlkeld, |
| Church H. Blakey, | Bryan S. McClure, | Harry I. Todd, |
| W. B. M. Brooks, | M. E. McKenzie, | L. W. Trafton, |
| Thomas P. Cardwell, | J. C. Moorman, | Joseph T. Tucker, |
| Robert M. Carlisle, | J. L. Nall, | T. W. Varnon, |
| C. M. Clay, jr., | Mat. Nunan, | J. L. Waring, |
| R. L. Cooper, | Julian N. Phelps, | C. H. Webb, |
| Thomas H. Corbett, | Lewis Potter, | J. M. White, |
| J. E. Cosson, | Hiram S. Powell, | Mordecai Williams, |
| Joseph M. Davidson, | E. A. Robertson, | F. A. Wilson, |
| John W. Dyer, | John Rowan, | J. M. Wright—55. |
| W. H. Evans, | | |

In the negative, S. H. Woolfolk—1.

*Resolved*, That the title of said bill be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Graves, from the Committee on Ways and Means—

An act for the benefit of Wilson Morgan, sheriff of Clay county.

By same—

An act for the benefit of Thomas D. Grundy, sheriff of McCracken county.

By same—

An act for the benefit of Joseph F. Perrie, of Mason county.

By Mr. Garnett, from the Committee on the Judiciary—

An act to amend section 7, chapter 105, of the Revised Statutes, in relation to weights and measures.

By same—

An act to amend section 2d of an act, entitled "An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds.

By Mr. Cooper, from the Committee on Education—

An act for the benefit of common school district No. 50, in Mason county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—

An act to amend the charter of Leesburg.

By same—

An act to incorporate the Central Kentucky Medical Association.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Garnett, from the Committee on the Revised Statutes—

A bill for the benefit of H. Hill, of Barren county.

By same—

A bill for the benefit of schools in New Castle, Henry county.

By Mr. Bascom, from the Committee on Banks—

A bill to incorporate the South and West Banking Company.

By Mr. Garnett, from the Committee on the Revised Statutes—

A bill to prohibit the sale of spirituous, vinous, or malt liquors at or within two miles of Howard's Mills, in Montgomery county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bascom then moved to reconsider the vote by which the last named bill was passed.

And then the House adjourned.

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## MONDAY, MARCH 25, 1872.

The Speaker having returned to the House, resumed the Chair.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by this House to a bill, which originated in the Senate, entitled

A act for the benefit of the Deaf and Dumb Asylum at Danville.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Pendleton Building and Savings Association of Falmouth.

An act for the benefit of E. P. Thomas, clerk of Henry county court.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of H. C. Thompson and W. T. Champion, of Livingston county.

An act to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company.

An act for the benefit of B. F. Mulliken, of Robertson county.

An act to amend an act, approved March 2, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses.'"

An act to exempt A. P. Boyes and others from working on any dirt road in Harrison county.

An act to amend an act to authorize commissioners to sell the poor-house farm of Henry county.

An act authorizing the Auditor to remit damages on delinquent property.

An act for the benefit of Daniel Lewis, of Adair county.

An act to provide for the building of turnpike roads in Adair county.

An act to reduce into one, amend, and digest the act, and amendatory acts, incorporating the town of North Middletown, in Bourbon county.

An act for the benefit of John S. Mattingly, sheriff of Meade county.

An act for the consolidation and incorporation of the towns of Milton and Kingston, in Trimble county.

An act to incorporate the Evansville and Jackson Railroad Company.

With amendments to the last four named bills.

And that they had passed bills of the following titles, viz:

1. An act to regulate the sale of real estate held by joint tenants, tenants in common, or coparceners.

2. An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Salem Church, in Cumberland county.

3. An act for the benefit of school district No. 60, in Scott county.

4. An act for the benefit of common school districts in Barren county.

5. An act to pay the expenses of D. R. Haggard, State agent sent to Missouri after Cutter and Taylor, charged with forgery.

6 An act to amend an act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

7. An act to amend the charter of the Great Western Mining and Manufacturing Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Religion; the 3d and 4th to the Committee on Education; the 5th to the Committee on Claims; the 6th to the Committee on Railroads; and the 7th to the Committee on Corporate Institutions.

The Speaker laid before the House the following communication from the Auditor, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., March 21st, 1872.

HON. JAMES B. MCCREARY, *Speaker of House of Representatives:*

SIR: In pursuance of an act, entitled "An act to settle the affairs

of the Old Bank of Kentucky," approved January 21, 1870, I undertook to discharge the duties imposed upon me by the terms of said act; but finding it impossible to do so without neglecting other and more important official duties, I employed H. Blanton (formerly cashier of said bank) to examine its books, and state the accounts of its creditors.

I herewith submit to you his report to me, which is full, able, and complete. It will be seen from it that said bank is indebted to individual depositors in the sum of $1,315 08, and to stockholders for unclaimed dividends $21,941 78, making the total sum of the indebtedness of said bank $23,256 86. To pay this amount, there is a fund in the Treasury, to the credit of said bank, of $8,426 90. There is, in addition to the foregoing amount, some $400 or $500 owing by the estate of P. Swigert, deceased, which, doubtless, would have been settled and paid by him but for his protracted illness and death.

I have felt it to be my duty to lay the foregoing facts, together with the report of Mr Blanton to me, before the General Assembly for its information, and for the information of the creditors of said bank, in order that any additional legislation may be had (if any be deemed necessary) to make a complete and final settlement of its affairs.

I have the honor to be,
Very respectfully,
Your obedient servant,
D. HOWARD SMITH, *Auditor.*

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JUNE 26TH, 1871.

COL. D. HOWARD SMITH, *Auditor Public Accounts:*

Under my appointment made by you of December 1st, 1870, to examine the books of the Old Bank of Kentucky, I proceeded to examine the same, and extracted from each dividend book the names of the several stockholders, stating the number of shares held by each, the amount undrawn and to which he or they were entitled yet to draw, running from 1808 to 1845, inclusive, showing each year separately. These extracts are recorded in one of the old dividends, giving each year separately. Then the whole is condensed, giving the amount due to each in a single line, and giving the aggregate of the whole in the condensed estimate. I have also given the names, and the amount due each individual depositor, from the cash ledger. All of these names are the proper persons to whom the amount in your hands properly belong, after paying expenses. The extracts which I have made from the old dividend books, and recorded, are properly headed and explained for every year. These statements, as well as the condensed statement, are attested by me.

All of which is respectfully submitted.

H. BLANTON.

STATEMENT OF DIVIDENDS *declared by the "Old Bank of Kentucky" due depositors, standing to their credit upon the books of said Bank.*

| NAMES. | 1845. | 1841. | Mar., 1839 | Dec., 1837. | Feb., 1837. |
|---|---|---|---|---|---|
| Alexander, Robert | $10 50 | | | | |
| Armstrong, James | 5 00 | $10 00 | | | |
| Ashhurst, Richard | 11 50 | | $28 00 | | |
| Anderson, Larz | 5 50 | | | | |
| Allen, Charles | 2 50 | 5 00 | 5 00 | $5 00 | $5 00 |
| Allenthoup, W. | 20 00 | | | | |
| Alsberry, Thomas | | | | | |
| Arnold, N. H. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Anderson, Sidney | | | | | |
| Allen, Jane, ex'or | 2 00 | 4 00 | | | |
| Barnett, Jos. | | | | 5 00 | |
| Bibb, Richard, sr. | 12 00 | | | | |
| Bacon, John | 12 00 | | | | |
| Bayless, Ben. | 6 00 | | | | |
| Bullock, Robert | 2 50 | 5 00 | | | |
| Byrum, W. | 2 50 | | | | |
| Boggs, Robert | 5 00 | 10 00 | | | |
| Burt & Youce | 10 00 | | | | |
| Bryan, Wm. | 20 50 | | | | |
| Barnett, James | 6 50 | 13 00 | | | |
| Bradshaw, John | 32 50 | | | | |
| Bradshaw, J. & J. | 2 50 | | | | |
| Bradshaw, M. A. | 5 00 | | | | |
| Bradshaw, Bate | 5 00 | | | | |
| Bradshaw, J. A. S. | 5 00 | | | | |
| Browning, James | 5 00 | 10 00 | 10 00 | | |
| Bishop, Eli | 2 50 | 5 00 | | | |
| Bayless, Ben., for Ann Woods | 1 00 | 2 00 | | | |
| Beauchamp, J. P. | 2 50 | 5 00 | 5 00 | | |
| Boggs, Robert C. | 3 50 | | | | |
| Berthowd, Nicholas | 2 50 | | | | |
| Boonesboro Academy | 1 00 | 2 00 | 2 00 | | |
| Breathett, John | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Bledsoe, Joseph | 2 50 | | | | |
| Buford, Martha | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Barnes, Richard | 1 00 | 2 00 | 2 00 | 2 00 | |
| Burton, Christ'r | 6 00 | 12 00 | 12 00 | 12 00 | 12 00 |
| Bedford, Robert | 12 50 | 25 00 | 25 00 | 25 00 | 25 00 |
| Berry, Joseph | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Bentley, James | 8 50 | 17 00 | | | |
| Buckner, B. H. | | 15 00 | 15 00 | 15 00 | 15 00 |
| Bullitt, Cuthbert | 15 00 | 30 00 | | | |
| Buford, John | 3 00 | 6 00 | 6 00 | 6 00 | 6 00 |
| Bullock, Wingfield | 2 50 | 5 00 | | 5 00 | |
| Black, William | 3 50 | 7 00 | 7 00 | 7 00 | 7 00 |
| Brandenburg, D. | 2 00 | 4 00 | | | |
| Brents, Durham | 2 50 | 5 00 | | | |
| Breslow, John | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Brooking, S. S. | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Brown, J. G. | 2 50 | 5 00 | 5 00 | | |
| Beddle, Richard | 50 | | | | |
| Bishop, Lowry | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Berney, James | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Bradford, Lucinda | 2 50 | 5 00 | 5 00 | 5 00 | |
| Breckinridge, Robert | 25 00 | | | | |

*individuals from* 1808 *to* 1845, *inclusive; also, amounts due individual*

| Nov., 1836. | Sep., 1835. | Mar., 1834. | 1833. 1832. 1831. | 1822 to 1830, inclusive. | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|
| | | | | | | $10 50 |
| $15 00 | | | | | | 30 00 |
| | | | | | | 34 50 |
| | | | | | | 5 50 |
| 7 50 | $12 50 | | | | | 42 50 |
| | | | | | | 20 00 |
| | | | | $2 00 | $3 00 | 5 00 |
| 7 50 | 12 50 | | | | | 42 50 |
| | | | | 2 00 | 9 25 | 11 25 |
| | | | | | | 6 00 |
| | | | | | | 5 00 |
| | | | | | | 12 00 |
| | | | | | | 12 00 |
| | | | | | | 6 00 |
| | | | | | | 7 50 |
| | | | | | | 2 50 |
| | | | | | | 15 00 |
| | | | | | | 10 00 |
| | | | | | | 20 50 |
| | | | | | | 19 50 |
| | | | | | | 32 50 |
| | | | | | | 2 50 |
| | | | | | | 5 00 |
| | | | $90 00 | | | 95 00 |
| | | | | | | 5 00 |
| | | | | | | 25 00 |
| | | | | | | 7 50 |
| | | $5 00 | 18 00 | | | 26 00 |
| | | | | | | 12 50 |
| | | | | | | 3 50 |
| | | | | | 15 00 | 17 50 |
| | | | | | | 5 00 |
| 7 50 | | | | | 15 00 | 45 00 |
| | | | | | | 2 50 |
| 4 50 | 7 50 | 7 50 | | | | 33 00 |
| 3 00 | 5 00 | | | | | 15 00 |
| 18 00 | 30 00 | | | | | 102 00 |
| 37 50 | 62 50 | | | | | 212 50 |
| 7 50 | | | | | | 30 00 |
| | | | | 10 00 | | 35 50 |
| 22 50 | 37 50 | | | | | 120 00 |
| | | | | | | 45 00 |
| 9 00 | | | | | | 86 00 |
| | | | | | | 12 50 |
| 10 50 | 17 50 | | | | | 59 50 |
| | | | | | | 6 00 |
| | | | | | | 7 50 |
| 3 00 | 5 00 | | | | | 17 00 |
| 4 50 | 7 50 | | | | | 25 50 |
| | | | | | | 12 50 |
| | | | | | | 50 |
| 7 50 | 12 50 | | | | | 42 50 |
| 3 00 | 5 00 | 3 50 | | | | 20 50 |
| | | | | | | 17 50 |
| | | | | | | 25 00 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1845. | 1841. | March, 1839. | December, 1837. | February, 1837. |
|---|---|---|---|---|---|
| Bibb, Richard | $34 50 | | | | |
| Bullock, Lewis | 2 50 | $5 00 | $5 00 | $5 00 | $5 00 |
| Bryan, W. S. | 2 50 | | | | |
| Barbee, Daniel | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Buckner, John | 7 50 | 15 00 | | | |
| Beatty, Edward | 1 50 | | | | |
| Butler, Jas., jr. | 50 | 1 00 | 1 00 | 1 00 | 1 00 |
| Brown, W. G. | | | | | |
| Bullock, Thos. | 4 50 | 9 00 | | | |
| Bryan & Sharps | 10 00 | 20 00 | 20 00 | | |
| Bryan, John | 2 50 | 5 00 | 5 00 | | |
| Beatty, Jas. | | | | | |
| Cotton, Chas. | 2 50 | 5 00 | | | |
| Currens, Wm. | 15 00 | | | | |
| Clark, Nicholas | | | | | |
| Clemons, Jerh. | 12 50 | 25 00 | 25 00 | | |
| Craig, Wm. | 2 50 | 5 00 | 5 00 | | |
| Craddock, Robert | 35 00 | 70 00 | | | |
| Clay, Green | 18 50 | 37 00 | 37 00 | | |
| Cook, Richard | | | | | |
| Clark, Ray | 5 00 | 10 00 | 10 00 | 20 00 | 10 00 |
| Covington, E. M. | 25 00 | | | | |
| Craig, Whitfield | 5 00 | 10 00 | | | |
| Crew, David | 1 50 | | | | |
| Center College | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Cheesman, Wm. | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Cosby, Dabney C. | 3 00 | 6 00 | 6 00 | 6 00 | 6 00 |
| Cunningham, J. H. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Chambers, Wm. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Clay, Henry | 10 00 | 20 00 | 20 00 | 20 00 | 20 00 |
| Clark, John | 16 50 | 33 00 | 33 00 | 33 00 | 33 00 |
| Crawford, John | 2 50 | 5 00 | | | |
| Crow, Levi | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Croghan's ex'r, W. | 7 50 | 15 00 | 15 00 | 15 00 | |
| Crowdus, Wm. | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Clark, Isaac | 5 50 | 11 00 | 11 00 | 11 00 | 11 00 |
| Cowan, James | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Cutter, Jos. | 2 00 | 4 00 | | | |
| Cunningham, Andrew | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Cunningham, Jos. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Cook, J. W. | 25 00 | 50 00 | 50 00 | 50 00 | 50 00 |
| Crittenden, Henry, and ex'r of Demaree, S. R. | 4 00 | 8 00 | 8 00 | 8 00 | 8 00 |
| Deshu, Jos. | 27 50 | | | | |
| Deshu, Jno | 10 00 | | | | |
| Davidson, Elias | 28 50 | | | | |
| Davidson, Margaret | 10 00 | | | | |
| Doyle, Mathew | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Davis, Septomus | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Dallam, Richard | | | | | |
| Davinport, Richard | 5 50 | 11 00 | 11 00 | 11 00 | 11 00 |
| Davis, David | 15 00 | 30 00 | 30 00 | 30 00 | 30 00 |
| Dunlap, Wm. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Dupey, Samuel | 2 50 | | | | |
| Drake, W. V. and L. A. | 14 50 | | | | |
| Dudley, Peter, adm'r of A. J. Mitchell | | | | | |

STATEMENT OF DIVIDENDS—Continued.

| November, 1836. | September, 1835. | March, 1834. | 1833. 1832. 1831. | 1832 to 1830, inclusive. | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|
| | | | | | | $34 50 |
| $7 50 | | | | | | 30 00 |
| | | | | | | 2 50 |
| 7 50 | $12 50 | | | | | 42 50 |
| | | $24 00 | | | $60 00 | 106 50 |
| | | 6 60 | $4 72 | | | 12 82 |
| 1 50 | 2 50 | 2 50 | 1 00 | | | 12 00 |
| | | | | $20 00 | 15 00 | 35 00 |
| | | | | | | 13 50 |
| | | | | | | 50 00 |
| | | | | | | 12 50 |
| | | | | 20 00 | | 20 00 |
| | | | | | | 7 50 |
| | | | | | | 15 00 |
| | | | 1 30 | | | 1 30 |
| | | | | | | 62 50 |
| | | | | | | 12 50 |
| 105 00 | 175 00 | 175 00 | | | 81 00 | 641 00 |
| | | | | | | 92 50 |
| | | | | 100 00 | | 100 00 |
| 15 00 | 25 00 | 25 00 | 140 00 | 100 00 | | 360 00 |
| | | 125 00 | | | | 150 00 |
| | | | | | | 15 00 |
| | | | | 10 00 | | 11 50 |
| 4 50 | 7 50 | 7 50 | 12 00 | | | 45 00 |
| 15 00 | | | | | | 60 00 |
| 9 00 | 15 00 | | | 12 00 | | 63 00 |
| | | | | | | 9 00 |
| 7 50 | 12 50 | | | | 15 00 | 57 50 |
| 30 00 | 50 00 | | | | | 170 00 |
| 49 50 | 82 50 | 4 80 | | 72 00 | | 357 30 |
| | | | | | | 7 50 |
| 7 50 | 12 50 | | | | 10 74 | 53 24 |
| 22 50 | 37 50 | | | | | 112 50 |
| 15 00 | 25 00 | | | | | 85 00 |
| 16 50 | 27 50 | | | | | 93 50 |
| 4 50 | 7 50 | | | | | 25 50 |
| | | 6 40 | | | 20 00 | 32 40 |
| 3 00 | 5 00 | 5 00 | 2 00 | 4 00 | | 28 00 |
| 3 00 | 5 00 | 5 00 | 4 46 | | | 26 46 |
| 75 00 | | | | 60 00 | | 360 00 |
| 12 00 | 20 00 | 12 50 | 15 00 | 32 00 | | 127 00 |
| | | | | | | 27 50 |
| | | | | | | 10 00 |
| | | | | | | 28 50 |
| | | | | | | 10 00 |
| 7 50 | 12 50 | 12 50 | 20 00 | | | 75 00 |
| 3 00 | 12 50 | 5 00 | 8 00 | | | 37 50 |
| 16 50 | 27 50 | | | | 77 00 | 170 50 |
| 45 00 | 75 00 | | | | | 255 00 |
| 7 50 | 12 50 | | | 10 00 | 15 00 | 67 50 |
| | | | | | | 2 50 |
| | | | | | | 14 50 |
| | | 5 58 | | | | 5 58 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1845. | 1841. | Mar., 1839. | Dec., 1837. | Feb., 1837. |
|---|---|---|---|---|---|
| Edwards, Ben. F. | $4 00 | $8 00 | $8 00 | | |
| Ewing, Lettice | 1 00 | 2 00 | | | |
| Estill, Wallace | 7 50 | 15 00 | 15 00 | | $15 00 |
| Ellis, Dudley B. | 1 00 | 2 00 | 2 00 | $2 00 | 2 00 |
| Ellis, Susannah | 1 50 | 3 00 | | | |
| Ewing, Nath'l | 2 50 | 5 00 | 5 00 | 5 00 | |
| Eaton, James | 1 50 | 3 00 | | | |
| Embry, Tarlton | 15 00 | | | | |
| Edwards, Wm. | | | | | |
| Frazier, Robert | 50 | 1 00 | 1 00 | 1 00 | 1 00 |
| Ferguson, Richard | 30 00 | | | | |
| Fleming Academy | 2 00 | | | | |
| Fetter, Daniel | 14 50 | 29 00 | 29 00 | | |
| Forman, Ezekiel | 58 50 | | | | |
| Forman, Joseph | 13 50 | | | | |
| Forman, Samuel | 13 00 | | | | |
| Forman, Thos. M. | 4 50 | | | | |
| Forman, Thos. | 4 50 | 9 00 | | | |
| Fitzgerald, Moses | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Field, Louisa H. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Field, Zacheus | 5 00 | 10 00 | 10 00 | 10 00 | |
| Finley, Dabney | 15 00 | 30 00 | | | |
| Foster, Henry | 2 00 | 4 00 | 4 00 | 4 00 | 4 00 |
| Finley, Geo. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Fisher, Elijah | 3 00 | 6 00 | 6 00 | 6 00 | 6 00 |
| Fisher, Ben. | 3 00 | 6 00 | 6 00 | 6 00 | 6 00 |
| Green, John | 6 00 | 12 00 | | | |
| Green, John, and wife | 9 50 | 19 00 | 19 00 | 19 00 | |
| Glass, Geo. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Garder, John | 50 | 1 00 | 1 00 | 1 00 | |
| Glass, John, ex'r | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Grundy, Wm. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Gist, David | 5 50 | 11 00 | | | |
| Garrard, Daniel | 2 50 | 5 00 | | | |
| Garnett, Richard | 7 00 | | | | |
| Gaither, E. B. | 9 00 | 18 00 | | | |
| Gilkerson, A. J. | 6 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Goggen, Robert | 2 50 | 5 00 | | | |
| Goff, Thomas | 10 00 | 20 00 | 20 00 | 20 00 | 20 00 |
| Gray, John | 7 50 | 15 00 | 15 00 | 15 00 | 15 00 |
| Graham, John F. | 2 50 | | | | |
| Green, Beall | | | 2 00 | 2 00 | 2 00 |
| Gratz, Hyman | 8 00 | | | | |
| Healey, Dennis | | | | | |
| Higgens, Richard | 5 00 | 10 00 | 10 00 | 10 00 | |
| Higgens, Cash | 3 00 | 6 00 | 6 00 | 6 00 | |
| Hynes, Wm. R. | 138 50 | | | | |
| Hay, John D. | 1 00 | 2 00 | 2 00 | | |
| Hite, Abram | 7 00 | 14 00 | | | |
| Hayes, Samuel | 50 | 1 00 | 1 00 | 1 00 | 1 00 |
| Higgens, Solomon | 7 50 | | | | |
| Harcourt, John | 5 00 | | | | |
| Harrison Academy | 8 00 | 16 00 | 16 00 | 16 00 | 16 00 |
| Holmes, Robert | 13 50 | | | | |
| Hunt, John | 7 50 | 15 00 | 15 00 | 15 00 | 15 00 |
| Hall, James | | | | | |
| Hanks, Abram | 4 50 | 9 0 | 9 00 | | |

STATEMENT OF DIVIDENDS—Continued.

| Feb., 1837. | Nov., 1836. | Sept., 1835. | Mar., 1834. | 1833. 1832. 1831. | 1822 to 1830, inclusive. | 1808 to 1821 | Total. |
|---|---|---|---|---|---|---|---|
| | | | | | | | $20 00 |
| | | | $12 50 | | | | 15 50 |
| $15 00 | | | | | | | 52 50 |
| 2 00 | $3 00 | $5 00 | | | | | 17 00 |
| | | | | | | | 4 50 |
| | | | | | | | 17 50 |
| | | | | | | | 4 50 |
| | | | | | | | 15 00 |
| | | | 30 00 | $60 00 | | | 90 00 |
| 1 00 | 1 50 | 2 50 | | | $6 00 | | 14 50 |
| | | | | | | | 30 00 |
| | | | | | | | 2 00 |
| | | | | | | | 72 50 |
| | | | | | | | 58 50 |
| | | | | | | | 13 50 |
| | | | | | | | 13 00 |
| | | | | | | | 4 50 |
| | | | | | | | 13 50 |
| 5 00 | 7 50 | 12 50 | | | | | 42 50 |
| 5 00 | 7 50 | 12 50 | | | | | 42 50 |
| | | | | | | $59 00 | 94 00 |
| | | | | | | | 45 00 |
| 4 00 | 6 00 | 10 00 | | | 8 00 | | 42 00 |
| 2 00 | 3 00 | 5 00 | | | | 2 84 | 19 84 |
| 6 00 | 9 00 | | | | | 40 00 | 76 00 |
| 6 00 | 9 00 | 15 00 | | | | | 51 00 |
| | | | | | | | 18 00 |
| | | | | | | | 66 50 |
| 5 00 | 7 50 | 12 50 | 12 50 | 20 00 | | | 75 00 |
| | | | | | | 5 00 | 8 50 |
| 5 00 | 7 50 | | | | | | 30 00 |
| 2 00 | 3 00 | 5 00 | 5 00 | 28 00 | 30 00 | | 80 50 |
| | | | | | | | 16 50 |
| | | | | | | | 7 50 |
| | | | | | | | 7 00 |
| | | | | | | | 27 00 |
| 10 00 | 15 00 | 25 00 | | | | | 85 00 |
| | | | | | | | 7 50 |
| 20 00 | 30 00 | 50 00 | | | | | 170 00 |
| 15 00 | 7 50 | 37 50 | | | | 35 80 | 148 30 |
| | | 5 00 | | | | | 7 50 |
| 2 00 | 3 00 | | | | | | 9 00 |
| | | | | | | | 8 00 |
| | | | | | 4 00 | | 4 00 |
| | | | | | | | 35 00 |
| | | | | | | | 21 00 |
| | | | | 70 00 | | | 208 50 |
| | | | | | | | 5 00 |
| | | | | | | | 21 00 |
| 1 00 | 1 50 | 2 50 | 2 50 | 4 00 | | | 15 00 |
| | | | | | | | 7 50 |
| | | | | | | | 5 00 |
| 16 00 | 24 00 | 40 00 | 40 00 | | 39 00 | 56 32 | 271 32 |
| | | | | | | | 13 50 |
| 15 00 | 22 50 | 37 50 | 37 50 | 210 00 | 375 00 | | 750 00 |
| | | | | | 10 00 | | 10 00 |
| | | | | | | | 22 50 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1845. | 1841. | March, 1839. | December, 1837. | February, 1837. |
|---|---|---|---|---|---|
| Hite, James | $2 00 | $4 00 | | | |
| Hawes, Rich'd | 10 00 | | | | |
| Hawes, Sam'l | 15 00 | | | | |
| Hutcherson, Wm. | 1 00 | 2 00 | | | |
| Hanson Wm. | 50 | 1 00 | $1 00 | $1 00 | $1 00 |
| Hite, Thos. | 52 00 | 104 00 | | | |
| Hanley, Charlotte | | | | | |
| Hanley, Fr. | | | | | |
| Hopewell, John | 2 50 | 5 00 | 5 00 | 5 00 | 4 00 |
| Hume, Wm. P. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Hutchcraft, Thos. | 7 50 | 15 00 | 15 00 | | |
| Hutchcraft, John | 2 50 | 5 00 | 5 00 | | |
| Hunt, Wm. R. | | | | | |
| Hawes, H. W. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Harris, Overton | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Hayes, Jno. M. | | | | | |
| Hurley, Nancy | | | | | |
| Hynes, G. G. | 10 00 | | | | |
| Hynes, Thos. W. | 2 50 | | 5 00 | | 20 00 |
| Heldreth & Turner | 4 00 | | | | |
| Hynes, Elizabeth | 5 00 | 20 00 | 20 00 | | |
| Hynes, Plutarch | 10 00 | 20 00 | 20 00 | 20 00 | |
| Hynes, Ann E. | 5 00 | | | | |
| Hynes, Andrew R. | 5 00 | 10 00 | 10 00 | 10 00 | |
| Hynes, Jos. L. | 5 00 | 10 00 | 10 00 | 10 00 | |
| Hynes, Louisa C. | 5 00 | 10 00 | 10 00 | 10 00 | |
| Hynes, W. R., jr. | 10 00 | 20 00 | 20 00 | | |
| Hardin, Mark | 15 50 | | | | |
| Hall, John | 5 00 | | | | |
| Halgard, John | 2 00 | 4 00 | 4 00 | 4 00 | 4 00 |
| Hamilton, Jos. D. | 2 50 | 5 00 | | 5 00 | |
| Hord, W. | 16 00 | 32 00 | 32 00 | | 32 00 |
| Humphreys, Charles | | | | | |
| Innis, Harry | 18 00 | 36 00 | | | |
| Innis, Ann, ex'x | 21 00 | 42 00 | | | |
| Instone, Jane | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Johnson, Jacob | 25 50 | 51 00 | 51 00 | | |
| Justice, Jacob | 58 50 | | | | |
| Jacoby, Ralph | 2 50 | 5 00 | | | |
| Jones, Thomas | 11 50 | 21 00 | | | |
| Johnson, Betsy | 5 00 | 10 00 | 10 00 | | |
| Jones & Dubois | 50 | 1 00 | 1 00 | | |
| Jones, Wm. | 1 50 | | | | |
| Jones, John A. | 3 50 | 7 00 | 7 00 | 7 00 | 7 00 |
| Jackson, F. F. | | 2 00 | 2 00 | 2 00 | 2 00 |
| Kendall, W. | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Kelly, John | 5 00 | 10 00 | | | |
| Kerk, Wm., sr. | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Kean, W. B | 10 00 | | | | |
| Kerkman & Jackson | 4 50 | | | | |
| Kelly, Martin | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| King, John | 5 00 | | | | |
| Kerr, David | 5 00 | | | | |
| Knox, James | | | | | |
| Kerk, Richard | | | | | |
| Lapsley, J. B. | 7 00 | 14 00 | 14 00 | 14 00 | 14 00 |
| Laurence, L. | 3 50 | | | | |

STATEMENT OF DIVIDENDS—Continued.

| ber. | February, 1837. | November, 1836. | September, 1835. | March, 1834. | 1833. 1832. 1831. | 1822 to 1830, inclusive, | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | | | | | | | | 6 00 |
| | | | | | | $2 00 | | 12 00 |
| | | | | | | | | 15 00 |
| | | | | | | | | 3 00 |
| | $1 00 | $1 00 | $2 50 | | $6 00 | 39 00 | $0 65 | 53 65 |
| | | | | | | | | 156 00 |
| | | | | | | 4 00 | 18 00 | 22 00 |
| | 4 00 | | | | | 8 00 | | 8 00 |
| | 2 00 | 7 50 | 12 50 | | | | | 41 50 |
| | | 3 00 | 5 00 | | | | | 17 00 |
| | | | | | | | | 37 50 |
| | | | | | | | | 12 50 |
| | 2 00 | | | | | 4 00 | | 4 00 |
| | 5 00 | 3 00 | 5 00 | | | | | 17 00 |
| | | 7 50 | 12 50 | | | | | 42 50 |
| | | | | | | 50 00 | | 50 00 |
| | | | | | | 4 00 | | 4 00 |
| | 20 00 | | | | | | | 10 00 |
| | | 30 00 | | | 56 70 | | | 114 20 |
| | | | | | | | | 4 00 |
| | | | | | | | | 45 00 |
| | | | | | | | | 70 00 |
| | | | | | | | | 5 00 |
| | | | | | | | | 35 00 |
| | | | | | | | | 35 00 |
| | | | | | | | | 35 00 |
| | | | | | | | | 50 00 |
| | | | | | | | | 15 50 |
| | 4 00 | | | | | | | 5 00 |
| | | 6 00 | 10 00 | | | | 29 50 | 63 50 |
| | 32 00 | | | | | | | 12 50 |
| | | | | | | | | 112 00 |
| | | | | | | 12 00 | 1 30 | 13 30 |
| | 2 00 | | 5 00 | | | | | 59 00 |
| | | | | | | | | 63 00 |
| | | 3 00 | | | 4 00 | 18 00 | | 34 00 |
| | | | | | | | | 127 50 |
| | | | | | | | | 58 50 |
| | | | | | | | | 7 50 |
| | | | | | | | | 32 50 |
| | | | | | | | | 25 00 |
| | | | | | | | | 2 50 |
| | 7 00 | | | | | | | 1 50 |
| | 2 00 | 10 50 | 17 50 | | | | 21 00 | 80 50 |
| | 10 00 | 3 00 | 5 00 | 5 00 | 4 82 | | | 26 82 |
| | | 15 00 | 25 00 | | | | | 85 00 |
| | 3 00 | | | | | | | 15 00 |
| | | 4 50 | 7 50 | | | 15 00 | | 40 50 |
| | | | | | | | | 10 00 |
| | 5 00 | | | | | | | 4 50 |
| | | 7 50 | 12 50 | | | | | 42 50 |
| | | | | | | | | 5 00 |
| | | | | | | | | 5 00 |
| | | | | | | 70 00 | | 70 00 |
| | 14 00 | | | | | 60 00 | | 60 00 |
| | | 21 00 | 35 00 | | | | | 119 00 |
| | | | | | | | | 3 50 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1840. | 1841. | Mar., 1839 | Dec., 1837. | Feb., 1837. |
|---|---|---|---|---|---|
| Lander, Wm. | $5 00 | | | | |
| Lapsley, John A. | 5 00 | $10 00 | $10 00 | $10 00 | $10 00 |
| Langhorn, M. and J. T. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Lewis, Isaac | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Lepcomb, Mathew | 5 00 | 10 00 | 10 00 | | |
| Logan, John | 4 00 | 8 00 | 8 00 | 8 00 | 8 00 |
| Lane, Mildred T. | 2 50 | 5 00 | 5 00 | | |
| McDowell, John | 5 50 | 11 00 | 11 00 | 11 00 | 11 00 |
| Macher, John | 9 00 | 18 00 | 18 00 | 18 00 | |
| Morford, John D. | 2 00 | 4 00 | 4 00 | 4 00 | 4 00 |
| Mitchell, W. | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Miles, Henry | 20 00 | | | | |
| Martin, John | 10 00 | 20 00 | 20 00 | 10 00 | |
| Martin, Geo. | 2 00 | 4 00 | 4 00 | | |
| Moore, Thos., adm'r | 2 50 | | | | |
| Moore, Thos. | 2 50 | | | | |
| Moore, Wm. | 3 00 | 6 00 | 6 00 | 6 00 | 6 00 |
| Marshall, Thos., ex'r | 3 00 | 6 00 | 6 00 | 6 00 | 6 00 |
| McMllan, Wm. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| McLaughlin, J. H. | 2 50 | 5 00 | 5 00 | 5 00 | |
| McElroy, John | 5 00 | 10 00 | | | |
| McKee, Samuel | 4 00 | 8 00 | 8 00 | 8 00 | 8 00 |
| McIlvaine, David | | | | | |
| McElroy, H. and A | 9 00 | 18 00 | | | 18 00 |
| Miles, John | 1 50 | 3 00 | 3 00 | 3 00 | |
| Miller, Samuel A. | 22 50 | | | | |
| Miller, Jos. | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Moore, Jas., ex'r | 1 50 | 3 00 | 3 00 | 3 00 | 18 00 |
| Mitchell, A. J. | 2 50 | 5 00 | 5 00 | | |
| Munford, Wm. | 2 00 | 4 00 | 4 00 | 4 00 | 4 00 |
| McElroy & Cunningham | 5 50 | 11 00 | | | |
| Murrell, Wm. | | | | | |
| Montgomery, Thos. | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Morris, John | 20 00 | 40 00 | 40 00 | 40 00 | 40 00 |
| McDowell, E. | | | | | |
| McDowell, Samuel | | | | | |
| Nourse, Wm. | 1 50 | | | | |
| Newland, Abram | 16 50 | | | | |
| Nichols, Jonathan | 4 00 | 8 00 | 8 00 | 8 00 | 8 00 |
| Nourse, Chas. | | | | | |
| Ormsby, P. O. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Oldham, Richard | | | | 2 00 | |
| Pope, Alex. | 50 | 1 00 | 1 00 | 1 00 | |
| Phillips, Jenkins | 1 50 | | | | |
| Phillips, Thos. and Louis | 1 50 | | | | |
| Pane, John | 32 00 | | | | |
| Prall, Benj. | 2 50 | | | | |
| Pendleton Academy | 10 00 | | | | |
| Parley, Jas. | 2 50 | 5 00 | 5 00 | | |
| Parker, John | 5 00 | 10 00 | | | |
| Phillips, Thos. and Louis | 15 00 | | | | |
| Potts, Nancy | 1 50 | | | | |
| Parks, David | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Prather, Cath. C. | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Patrick, Chas. | | | | | |
| Pryor, Jas. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Patton, John D. | | | | | |

STATEMENT OF DIVIDENDS—Continued.

| Feb., 1837. | Nov., 1836. | Sept., 1835. | Mar., 1834. | 1833. 1832. 1831. | 1822 to 1830. inclusive. | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|---|
| | | | | | | | $5 00 |
| $10 00 | $15 00 | $25 00 | | | | | 85 00 |
| 5 00 | 7 50 | 12 50 | | | | | 42 00 |
| 3 00 | 4 50 | | | | | | 18 00 |
| | | | | | | | 25 00 |
| 8 00 | | | | | $10 00 | $37 95 | 83 95 |
| | | | | | | | 12 50 |
| 11 00 | 16 50 | | | | | | 66 00 |
| | | | | | | | 63 00 |
| 4 00 | | | | | | | 18 00 |
| 3 00 | 4 50 | 7 50 | $7 50 | $12 00 | | | 45 00 |
| | | | | | 20 00 | | 40 00 |
| | | | 25 00 | 34 00 | | | 119 00 |
| | | | | | | | 10 00 |
| | | | | | | | 2 50 |
| | | | | | | | 2 50 |
| 6 00 | 5 00 | 15 00 | 15 00 | 84 00 | 30 00 | | 180 00 |
| 6 00 | | | | | | | 27 00 |
| 5 00 | 7 50 | 12 50 | | | | | 42 50 |
| | | | | | | | 17 50 |
| | | | | | | | 15 00 |
| 8 00 | 12 00 | 20 00 | | | | | 68 00 |
| | | | | | 10 00 | | 10 00 |
| 18 00 | | | | | | | 45 00 |
| | | | | | | | 10 50 |
| | | | | | | 15 00 | 37 50 |
| 10 00 | 15 00 | 25 00 | | | | | 85 00 |
| 18 00 | 4 50 | 7 50 | 7 50 | | | | 48 00 |
| | | | | | | | 12 50 |
| 4 00 | 6 00 | 10 00 | | | | | 34 00 |
| | | | | | | | 16 50 |
| | | | 4 80 | | | | 4 80 |
| 10 00 | 15 00 | 25 00 | 16 00 | | | | 101 00 |
| 40 00 | 40 00 | 100 00 | | | | | 320 00 |
| | | | 91 50 | | | | 91 50 |
| | | | | 1 56 | | 25 00 | 26 56 |
| | | | | | | | 1 50 |
| | | | | | | | 16 50 |
| 8 00 | 12 00 | 20 00 | | | | | 68 00 |
| | | | | | | 15 00 | 15 00 |
| 5 00 | 7 50 | | | | | | 30 00 |
| | | | | | | | 2 00 |
| | | | | | | 3 00 | 6 50 |
| | | | | | | | 1 50 |
| | | | | | | | 1 50 |
| | | | | | | | 32 00 |
| | | | | | | 15 00 | 17 50 |
| | | | | | | | 10 00 |
| | | | | | | | 12 50 |
| | | | | | | | 15 00 |
| | | | | | | | 15 00 |
| | | | | | | | 1 50 |
| 5 00 | 7 50 | 12 50 | 12 50 | 70 00 | 50 00 | | 175 00 |
| 10 00 | 15 00 | 25 00 | 25 00 | 104 40 | 100 00 | | 314 40 |
| | | | | | 10 00 | | 10 00 |
| 2 00 | 3 00 | 5 00 | | | 8 00 | | 25 00 |
| | | | | | 20 00 | 15 00 | 35 00 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1845. | 1841. | Mar., 1839. | Dec., 1837. | Feb., 1837. |
|---|---|---|---|---|---|
| Pearson, Geo. O. | $2 00 | $4 00 | $4 00 | $4 00 | $4 00 |
| Phelps & Locker | 3 00 | 6 00 | 6 00 | 6 00 | 6 00 |
| Prewitt, Joel | 50 | 1 00 | 1 00 | 1 00 | 1 00 |
| Postlethwait, John | 3 00 | 6 00 | | | |
| Park, John | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Penny, John | 10 00 | | | | |
| Payne, H. C. | 5 00 | 10 00 | | | |
| Preston, Caroline H., adm'x | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Price, Ann F. | | | | | |
| Reed, Walker | 5 00 | 10 00 | 10 00 | | |
| Reid, J. E. J. | 3 00 | 6 00 | | | |
| Rocker & Duncan | | | | | |
| Reid, James | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Robertson, Samuel | | | | | |
| Robertson, John | 8 00 | 16 00 | | | |
| Rodes, Clifton | | | | | |
| Rowland, Geo. | 3 50 | 7 00 | 7 00 | | 7 00 |
| Rochester, John | 4 50 | 9 00 | 9 00 | 9 00 | 9 00 |
| Respass, A. C. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Richardson, J. C., jr. | 50 | 1 00 | 1 00 | 1 00 | 1 00 |
| Rodes, Wm. | 4 50 | 9 00 | 9 00 | 9 00 | 9 00 |
| Scoby, Robert | | | | | |
| Stone, Elizabeth | 50 | 1 00 | 1 00 | | |
| Stothard & Starkey | 50 | 1 00 | 1 00 | 1 00 | 1 00 |
| Spencer, O. H. | 9 50 | 19 00 | 19 00 | 19 00 | 19 00 |
| Shelby, Evan | 22 50 | 45 00 | 45 00 | | |
| Smith, J. B. | 7 50 | | | | |
| Smiley, James | 97 00 | 194 00 | 194 00 | | |
| Snead, John S. | 21 50 | | | | |
| Spencer, Mary | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Shannon, John, jr. | 4 00 | 8 00 | 8 00 | 8 00 | 8 00 |
| Smith, Rodes, gd'n for J. & G. Smith | 8 00 | 16 00 | 16 00 | | |
| Scribner, James | 50 | | 1 00 | | |
| Starling, Lyne | 23 50 | 47 00 | 47 00 | 47 00 | 47 00 |
| Shelby, Alfred | 9 50 | 19 00 | | | |
| Swigert, Jacob | 17 50 | 35 00 | | | |
| Stone, Sally Ann | 1 50 | | | | |
| Stone, Mary Jane | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Smith, Thomas P. | 1 00 | 2 00 | | | |
| Speed, Thos. | 5 00 | | | | |
| Singleton, Allen | 2 00 | 4 00 | 4 00 | 4 00 | 4 00 |
| Shirley, Pane | | 5 00 | 5 00 | 5 00 | 5 00 |
| Stone, Wm. | 7 50 | 15 00 | 15 00 | | |
| Simeruli, Jos. | 4 00 | | | | |
| Stone, Samuel | 9 50 | 19 00 | 19 00 | | |
| Strong, Elizabeth | 5 00 | | | 10 00 | |
| Stockton, ex'r, Robert | 2 00 | | | | |
| Sharp, A. M. | 5 00 | 10 00 | 10 00 | 10 00 | |
| Sharp, Maxwell | 12 50 | 25 00 | 25 00 | 25 00 | |
| Shackelford, Jas. | 50 | 1 00 | 1 00 | 1 00 | 1 00 |
| Smiley, S. & H. | 10 00 | 20 00 | 20 00 | 20 00 | 20 00 |
| Smiley & Wickliffe | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Taylor, Samuel | 2 00 | 4 00 | 4 00 | | |
| Todd, Andrew | 5 50 | 11 00 | 11 00 | 11 00 | 11 00 |
| Thomas, H. H. | 50 | | | | |
| Tevis, Robert | 8 00 | 16 00 | 16 00 | | |

STATEMENT OF DIVIDENDS—Continued.

| Nov., 1836. | Sept., 1835. | Mar., 1834. | 1833. 1832. 1831. | 1822 to 1830, inclusive. | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|
| $6 00 | $10 00 | | | | | $34 00 |
| 9 00 | 15 00 | | | | | 51 00 |
| 1 50 | 2 50 | | | | | 8 50 |
| | | | | | $4 00 | 13 00 |
| 3 00 | 5 00 | | | | | 17 00 |
| | | | | | | 10 00 |
| | | $25 00 | $34 00 | | | 74 00 |
| 4 50 | 7 50 | 7 50 | 10 20 | | | 43 20 |
| | | 45 00 | 61 20 | | | 106 20 |
| | | | | | | 25 00 |
| | | | | | | 9 00 |
| | | | | 20 00 | | 20 00 |
| 15 00 | 25 00 | | | | | 85 00 |
| | | | | 20 00 | | 20 00 |
| | | | | | | 24 00 |
| | | | | 80 00 | | 80 00 |
| 10 50 | 17 50 | 5 00 | 4 46 | | | 61 96 |
| 13 50 | 22 50 | 7 50 | 10 20 | 45 00 | | 139 20 |
| 7 50 | 12 50 | | | | | 42 50 |
| 1 50 | 2 50 | | | | | 8 50 |
| 13 50 | | | | | | 54 00 |
| | | 7 50 | | | | 7 50 |
| | | | | | | 2 50 |
| 1 00 | 2 50 | 2 50 | 14 00 | 73 00 | 9 65 | 107 65 |
| 28 50 | 47 50 | 47 50 | 171 00 | | | 380 00 |
| | | | | | | 112 50 |
| | | | | | | 7 50 |
| | | | | | | 485 00 |
| | | 22 50 | | 10 00 | | 54 00 |
| 7 50 | 12 50 | | | | 17 95 | 60 45 |
| 12 00 | | | | | | 48 00 |
| | | | | | | 40 00 |
| | | | | | | 1 50 |
| 70 50 | 117 50 | 117 50 | 188 00 | | | 705 00 |
| | | | | | | 28 50 |
| | | | | | | 52 50 |
| | | | | | | 1 50 |
| 4 50 | 7 50 | 5 70 | | | | 31 20 |
| | | | | | | 3 00 |
| | | | | | | 5 00 |
| 6 00 | 10 00 | 10 00 | 8 92 | | | 52 92 |
| 7 50 | 12 50 | 12 50 | 17 00 | 150 00 | | 219 50 |
| | | | | | | 37 50 |
| | | | | | | 4 00 |
| | | | | | | 47 50 |
| | | | | | | 15 00 |
| | | | | | 24 00 | 26 00 |
| | | | | | | 35 00 |
| | | | | | | 87 50 |
| 1 50 | 2 50 | | | | | 8 50 |
| 30 00 | 50 00 | | | | | 170 00 |
| | | | | | | 45 00 |
| | | | | 5 00 | | 15 00 |
| 16 50 | | | | | | 66 00 |
| | | | | | | 50 |
| | | | | | | 40 00 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1845. | 1841. | Mar., 1839 | Dec., 1837. | Feb., 1837. |
|---|---|---|---|---|---|
| Todd, Mary | $1 50 | | | | |
| Taylor, Ben., trustee | 31 00 | | | | |
| Taylor, John | 2 50 | $5 00 | $5 00 | $5 00 | $5 00 |
| Talbott, Edward, jr. | 2 50 | | | | |
| Todd, Mary C. | 1 00 | 2 00 | 2 00 | | |
| Tibbs, Charlotte | 2 50 | 5 00 | | | |
| Talbot, M. A. D. | 2 50 | 5 00 | 5 00 | | |
| Trobough, Michael | 1 50 | 3 00 | | | |
| Talbot, Hugh | 8 00 | 16 00 | 16 00 | 16 00 | 16 00 |
| Taylor, Hubbard | 7 50 | 15 00 | 15 00 | | |
| Tibbs, Alace | 2 50 | 5 00 | 5 00 | | |
| Tompkins, Green R. | 2 00 | 4 00 | 4 00 | 4 00 | |
| Taylor, Hubbard, jr. | 2 50 | 5 00 | 5 00 | | |
| Taylor, John P. | 2 50 | 5 00 | 5 00 | | |
| Taylor, Thos. M. | 2 50 | 5 00 | 5 00 | | |
| Thomas, Ann | 1 00 | 2 00 | | | |
| Trabue, Geo. W. | 10 50 | | | | |
| Thompson, W. L. | 3 00 | 6 00 | 6 00 | | |
| Todd, Mary (Franklin) | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Taylor, James | 25 00 | | | | |
| Tibbs, Stanley G. | | | | | |
| United States Bank | 2 50 | | | | |
| Wood, Arch | | | | | |
| Wallace, Geo. W. | 5 00 | 10 00 | 10 00 | 10 00 | |
| Wood, Charles | 13 00 | | | | |
| Worthington, Thos. T. | 15 00 | | | | |
| Warfield, N. | 11 00 | 22 00 | | | |
| Weir, James | 42 50 | | | | |
| White, Durrell | 24 00 | 48 00 | 48 00 | 48 00 | 48 00 |
| Wright, Isaac | 2 00 | 4 00 | 4 00 | 4 00 | 4 00 |
| Whittington, Jane | 1 00 | 2 00 | 2 00 | 2 00 | |
| Warren, James | 2 50 | 5 00 | | | |
| Warren, John | 5 00 | 10 00 | 10 00 | | |
| Warren, Jos. | 43 50 | 87 00 | 87 00 | | |
| Welch, Joseph | 7 50 | | | | |
| Welch, Sarah | 15 00 | 30 00 | 30 00 | | |
| Wilkerson, Lyddall | 1 50 | 3 00 | 3 00 | 3 00 | 3 00 |
| Walker, Owen W. | 1 50 | | | | |
| Wilson, Caroline, &c. | 6 50 | 13 00 | 13 00 | 13 00 | 13 00 |
| Ward, Geo. W. | 4 00 | 8 00 | 8 00 | 8 00 | 8 00 |
| Warring, John U. | 1 00 | 2 00 | 2 00 | 2 00 | |
| Wetton, Michael | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Wickliffe, C. A. | 1 00 | 2 00 | 2 00 | 2 00 | |
| Williams, R. G. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Williams, Joel P. | 6 00 | 12 00 | 12 00 | 12 00 | 12 00 |
| Williams, Robt. | 2 50 | 5 00 | | | |
| Whelan, Letitia | 5 00 | 10 00 | 10 00 | 10 00 | 10 00 |
| Watkins, Betsy A. | 1 00 | 2 00 | | | |
| Wood, James M. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Woodfork, Geo. | 2 50 | | | | |
| Work, Ann, gd'n | 4 00 | 8 00 | 8 00 | 8 00 | 8 00 |
| Winn, Thos. | 2 50 | 5 00 | 5 00 | 5 00 | 5 00 |
| Walton's adm'r, Thos. | 1 00 | 2 00 | 2 00 | 2 00 | 2 00 |
| Wyatt, Manuel | 5 00 | | | | |
| Wallace, Thos., trustee | 2 50 | 5 00 | | | |
| Waller, Henry | | | | | |
| Webb, Geo. | | | | | |

STATEMENT OF DIVIDENDS—Continued.

| Nov., 1836 | Sep., 1835. | Mar., 1834. | 1833. 1832. 1831. | 1822 to 1830, inclusive. | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|
| | | 17 50 | | | | 19 00 |
| | | | | | | 31 00 |
| | 12 50 | | | | | 35 00 |
| | | | | | | 2 50 |
| | | | | | 6 00 | 11 00 |
| | | | | | | 7 50 |
| | | | | | | 12 50 |
| | | | | | | 4 50 |
| 24 00 | 40 00 | | | | | 136 00 |
| | | | 17 46 | | | 54 96 |
| | | | | | | 12 50 |
| | | | | | | 14 00 |
| | | | | | | 12 50 |
| | | | | | | 12 50 |
| | | | | | | 12 50 |
| | | | | 4 00 | | 7 00 |
| | | 24 10 | 20 89 | | | 55 49 |
| | | | | | | 15 00 |
| 3 00 | 5 00 | | | | 8 25 | 25 25 |
| | | | | | | 25 00 |
| | | 20 00 | | | | 20 00 |
| | | | | | | 2 50 |
| | | | 27 00 | | | 27 00 |
| | | | | | | 35 00 |
| | | | | | | 13 00 |
| | | | | | | 15 00 |
| | | | | | | 33 00 |
| | | | | | | 42 50 |
| 72 00 | 120 00 | 40 00 | 64 00 | | | 512 00 |
| 6 00 | 10 00 | | | | | 34 00 |
| | | | | | | 7 00 |
| | | | | | | 7 50 |
| | | | | | | 25 00 |
| | | | | | | 217 50 |
| | | | | | | 7 50 |
| | | | | | | 75 00 |
| 4 50 | 7 50 | 7 50 | 12 00 | | | 45 00 |
| | | 3 20 | | | | 4 70 |
| 19 50 | | | | | | 78 00 |
| 12 00 | 20 00 | | | | | 68 00 |
| | | | | | 8 00 | 15 00 |
| 7 50 | 12 50 | | | | | 42 50 |
| | | | | | | 7 00 |
| 3 00 | 12 50 | | | | | 24 50 |
| 18 00 | 30 00 | | | | | 102 00 |
| | | | | | | 7 50 |
| 15 00 | 25 00 | 25 00 | 10 00 | | | 120 00 |
| | | 5 00 | 4 46 | | | 12 46 |
| 3 00 | | | | | | 12 00 |
| | | | | 10 00 | | 12 50 |
| 12 00 | 20 00 | | | | | 68 00 |
| 7 00 | 12 50 | | | | | 42 50 |
| 3 00 | 5 00 | 3 20 | | | | 20 20 |
| | | | | | | 5 00 |
| | | | | 10 00 | | 17 50 |
| | | 2 50 | | | | 2 50 |
| | | | 34 00 | | | 34 00 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1845. | 1841. | Mar., 1839. | Dec., 1837. | Feb., 1837. |
|---|---|---|---|---|---|
| Weaver, Wm., jr. | | | | | |
| Weisinger, Jos. | | | | | |
| Warren, Thos. | | | | | |
| Youce, M. G. | $5 00 | | | | |
| Yeiser, E. | | | | | |
| Anderson, Richard G. | | | | | |
| Byrd, Eveline T. | | | | | |
| Byrd, C. W. | | | | | |
| Byrd, W. S. | | | | | |
| Byrd, Kinder M. | | | | | |
| Breckinridge, James | | | | | |
| Breckinridge, J. C. | | | | | |
| Burgess, John | | | | | |
| Breathett, Caldwell | | | | | |
| Bradshaw, Edward | | | | | |
| Blackwill, David | | | | | |
| Breathett, James | | | | | |
| Brooking, Robert | | | | | |
| Barr, Thos. T. & R. | | | | | |
| Barry & Garrett | | | | | |
| Boyce, Richard | | | | | |
| Brown, Oliver | | | | | |
| Berthong, J. & Son | | | | | |
| Blythe, James | | | | | |
| Breathett, Wm. | | | | | |
| Bird, Powell T. | | | | | |
| Crittenden, J. J. | | | | | |
| Churchill, Samuel | | | | | |
| Curd, Newton | | | | | |
| Cunningham, R. M. | | | | | |
| Clark, W. C. | | | | | |
| Campbell, Wesley | | | | | |
| Clark, James | | | | | |
| Cock, Tabitha | | | | | |
| Chiles, Henry | | | | | |
| De Gallon, Henry | | | | | |
| Davidson, Mary E. | | | | | |
| Duncan, Lewis | | | | | |
| Elliott, Stephen | | | | | |
| Earp & Brother | | | | | |
| Edwards, Presley | | | | | |
| Fulton, Henry | | | | | |
| Fox, Richard | | | | | |
| Funk, Peter | | | | | |
| Fisher, Maddox | | | | | |
| Fry, Joshua | | | | | |
| Frazier, James | | | | | |
| Fitzgerald, Ben. | | | | | |
| Galwood, R. A. | | | | | |
| Hensley, Wm. | | | | | |
| Hickman, Llewellyn | | | | | |
| Hise, Fred. | | | | | |
| Hunt, John W. | | | | | |
| Hart, N. G. S | | | | | |
| Hickman, Eliza P. | | | | | |
| Hay, Daniel | | | | | |
| Hally, Richard, sr. | | | | | |

STATEMENT OF DIVIDENDS—Continued.

| Nov., 1836. | Sept., 1835. | Mar., 1834. | 1833. 1832. 1831. | 1822 to 1830, inclusive. | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|
| | | | | $28 00 | | $28 00 |
| | | | | 10 00 | | 10 00 |
| | | | | 6 00 | | 6 00 |
| | | | | | | 5 00 |
| | | | | 16 50 | | 16 50 |
| | | | | | $9 75 | 9 75 |
| | | | | 22 00 | | 22 00 |
| | | | | 60 00 | | 60 00 |
| | | | | 34 00 | | 34 00 |
| | | | | 20 00 | | 20 00 |
| | | | | 30 00 | | 30 00 |
| | | | | | 15 00 | 15 00 |
| | | | | | 9 00 | 9 00 |
| | | | | | 15 00 | 15 00 |
| | | | | | 30 00 | 30 00 |
| | | | | | 11 37 | 11 37 |
| | | | | | 20 00 | 20 00 |
| | | | | | 16 40 | 16 40 |
| | | | | | 3 05 | 3 05 |
| | | | | | 3 25 | 3 25 |
| | | | | | 1 87 | 1 87 |
| | | | | | 1 95 | 1 95 |
| | | | | | 20 00 | 20 00 |
| | | | | | 10 00 | 10 00 |
| | | | | | 18 00 | 18 00 |
| | | | | 20 00 | | 20 00 |
| | | | | 2 00 | | 2 00 |
| | | | | 10 00 | | 10 00 |
| | | | | 80 00 | | 80 00 |
| | | | | 20 00 | | 20 00 |
| | | | | 10 00 | | 10 00 |
| | | | | 10 00 | | 10 00 |
| | | | | | 48 00 | 48 00 |
| | | | | | 45 37 | 45 37 |
| | | | | | 4 12 | 4 12 |
| | | | | 12 00 | | 12 00 |
| | | | | | 12 00 | 12 00 |
| | | | | | 5 00 | 5 00 |
| | | | | 16 00 | 12 00 | 28 00 |
| | | | | 12 00 | 30 00 | 42 00 |
| | | | | | 3 25 | 3 25 |
| | | | | 20 00 | | 20 00 |
| | | | | | 15 00 | 15 00 |
| | | | | | 10 50 | 10 50 |
| | | | | | 55 00 | 55 00 |
| | | | | | 33 15 | 33 15 |
| | | | | | 5 30 | 5 30 |
| | | | | | 30 00 | 30 00 |
| | | | | | 12 75 | 12 75 |
| | | | | | 6 00 | 6 00 |
| | | | | | 3 00 | 3 00 |
| | | | | | 1 49 | 1 49 |
| | | | | | 1 30 | 1 30 |
| | | | | | 9 00 | 9 00 |
| | | | | | 17 00 | 17 00 |
| | | | | | 4 50 | 4 50 |
| | | | | | 8 25 | 8 25 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1845. | 1841. | Mar., 1839. | Dec., 1837. | Feb., 1837. |
|---|---|---|---|---|---|
| Johnson, Susan | | | | | |
| Jacob, John J. | | | | | |
| Kelly, Reuben | | | | | |
| Harvey, Joseph H. | | | | | |
| Knight, George B. | | | | | |
| Lees & Brown | | | | | |
| Lewis, Amze | | | | | |
| Morris, Edward | | | | | |
| Morgan, Jos. | | | | | |
| Mayfield, Thos | | | | | |
| Mathews, Henry | | | | | |
| McBride, Wm. | | | | | |
| Morrison, Jas. | | | | | |
| Major, John, jr. | | | | | |
| Major, Thos. | | | | | |
| Morton, Wm. B. | | | | | |
| McClanahan, T. | | | | | |
| Neel & Harley | | | | | |
| Ogle, Mary | | | | | |
| Overton, Samuel R. | | | | | |
| Owen, Abram | | | | | |
| Parish, Joshua | | | | | |
| Prather, Jas. S. | | | | | |
| Pennington, Ephraim | | | | | |
| Puckett, W. P. | | | | | |
| Poston, Richard | | | | | |
| Pike, Samuel | | | | | |
| Phillips, W E. | | | | | |
| Price, Samuel | | | | | |
| Payne, Henry | | | | | |
| Payne, Edward | | | | | |
| Parker, Margaret M. | | | | | |
| Powell, John A. | | | | | |
| Redywing, Rizen | | | | | |
| Reading, Wm. | | | | | |
| Ross, Wm. | | | | | |
| Roper, W. P. | | | | | |
| Rochester, Jno. for Mrs. R. | | | | | |
| Steele, Moses | | | | | |
| Sturgis, Robert A. | | | | | |
| Steele & Luckett | | | | | |
| Snead, Landon | | | | | |
| Secard, Stephen | | | | | |
| Scott, Nancy | | | | | |
| Sands, W. L. | | | | | |
| Smith, Thos. | | | | | |
| Stone, Samuel | | | | | |
| Smith, David | | | | | |
| Savage, Wm. | | | | | |
| Steele & McClarty | | | | | |
| Stephens & Winslow | | | | | |
| Steele, Adam | | | | | |
| Smith, John H. | | | | | |
| Swearingen, Thomas | | | | | |
| Stout, Jediah | | | | | |
| Slaughter, Thos. | | | | | |
| Snead & Co., J. S. | | | | | |

STATEMENT OF DIVIDENDS—Continued.

| Nov., 1836. | Sept., 1835. | Mar., 1834. | 1833. 1832. 1831. | 1822 to 1830, inclusive. | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|
| | | | | $40 00 | | $40 00 |
| | | | | 10 00 | | 10 00 |
| | | | | | $6 00 | 6 00 |
| | | | | | 18 00 | 18 00 |
| | | | | | 15 00 | 15 00 |
| | | | | | 16 25 | 16 25 |
| | | | | | 12 00 | 12 00 |
| | | | | | 60 00 | 60 00 |
| | | | | | 13 00 | 13 00 |
| | | | | | 16 25 | 16 25 |
| | | | | | 7 16 | 7 16 |
| | | | | | 1 50 | 1 50 |
| | | | | | 55 30 | 55 30 |
| | | | | | 55 00 | 55 00 |
| | | | | | 3 00 | 3 00 |
| | | | | | 8 50 | 8 50 |
| | | | | | 15 00 | 15 00 |
| | | | | | 4 65 | 4 65 |
| | | | | | 9 00 | 9 00 |
| | | | | | 1 97 | 1 97 |
| | | | | | 30 00 | 30 00 |
| | | | | 4 00 | | 4 00 |
| | | | | 50 00 | | 50 00 |
| | | | | | 3 00 | 3 00 |
| | | | | | 3 00 | 3 00 |
| | | | | | 45 00 | 45 00 |
| | | | | | 30 00 | 30 00 |
| | | | | | 5 97 | 5 97 |
| | | | | | 3 00 | 3 00 |
| | | | | | 3 50 | 3 50 |
| | | | | | 7 38 | 7 38 |
| | | | | | 2 88 | 2 88 |
| | | | | | 4 10 | 4 10 |
| | | | | | 3 00 | 3 00 |
| | | | | | 33 00 | 33 00 |
| | | | | | 11 00 | 11 00 |
| | | | | | 11 00 | 11 00 |
| | | | | | 30 00 | 30 00 |
| | | | | 20 00 | | 20 00 |
| | | | | 10 00 | | 10 00 |
| | | | | 24 00 | | 24 00 |
| | | | | 24 00 | | 24 00 |
| | | | | 2 00 | | 2 00 |
| | | | | 2 00 | 3 00 | 5 00 |
| | | | | 10 00 | | 10 00 |
| | | | | | 15 00 | 15 00 |
| | | | | | 15 00 | 15 00 |
| | | | | | 19 50 | 19 50 |
| | | | | | 12 00 | 12 00 |
| | | | | | 100 50 | 100 50 |
| | | | | | 15 17 | 15 17 |
| | | | | | 18 00 | 18 00 |
| | | | | | 1 98 | 1 98 |
| | | | | | 14 20 | 14 20 |
| | | | | | 4 00 | 4 00 |
| | | | | | 17 00 | 17 00 |
| | | | | | 5 50 | 5 50 |

STATEMENT OF DIVIDENDS—Continued.

| NAMES. | 1845. | 1841. | Mar., 1839 | Dec., 1837. | Feb., 1837. |
|---|---|---|---|---|---|
| Smith, John K. | | | | | |
| Tilford, John | | | | | |
| Tilford, Robt. | | | | | |
| Taylor, Samuel M. | | | | | |
| Todd, Wm. | | | | | |
| Trotter, Jas. | | | | | |
| Tyler, Jno. | | | | | |
| Turner, Samuel | | | | | |
| Thomas, Talbott | | | | | |
| Temple, Ben. | | | | | |
| Wickliffe, Robt., in trust for Mary Parker | | | | | |
| Wooldridge, John W. | | | | | |
| Warden, John | | | | | |
| Warfield, Ben. | | | | | |
| Walton, Wm. | | | | | |
| Wilkinson, Wm. | | | | | |
| Wallace, Wm. | | | | | |
| Webb, Geo. | | | | | |
| Williams, Thos. | | | | | |
| Wallace, Thos. | | | | | |
| | $2,617 50 | $2,869 00 | $2,139 00 | $1,275 00 | $1,229 00 |

STATEMENT OF DIVIDENDS—Continued.

| Nov., 1836. | Sept., 1835. | Mar., 1834. | 1833. 1832. 1831. | 1822 to 1830, inclusive. | 1808 to 1821. | Total. |
|---|---|---|---|---|---|---|
| | | | | $12 00 | | $12 00 |
| | | | | 3 00 | | 3 00 |
| | | | | 15 00 | | 15 00 |
| | | | | 15 00 | | 15 00 |
| | | | | | $1 30 | 1 30 |
| | | | | | 1 30 | 1 30 |
| | | | | | 3 00 | 3 00 |
| | | | | | 17 00 | 17 00 |
| | | | | | 20 00 | 20 00 |
| | | | | | 6 00 | 6 00 |
| | | | | | 12 00 | 12 00 |
| | | | | | 3 00 | 3 00 |
| | | | | | 30 00 | 30 00 |
| | | | | | 6 50 | 6 50 |
| | | | | | 20 00 | 20 00 |
| | | | | | 21 48 | 21 48 |
| | | | | | 1 49 | 1 49 |
| | | | | | 1 30 | 1 30 |
| | | | | | 9 50 | 9 50 |
| | | | | | 4 50 | 4 50 |
| $1,632 50 | $2,342 50 | $1,251 58 | $1,800 75 | $2,531 50 | $2,353 45 | $21,941 78 |

The foregoing pages show the amount of dividends due stockholders from 1808 to 1845, to-wit ..... $21,941 78

The following balances are due to individuals, Ledger K, pages 384–5:

| | | |
|---|---|---|
| Walker & Wm. Thomas Buckner | $31 50 | |
| Samuel R. Demare's executors, December 5, 1834 | 20 00 | |
| Sundries | 542 26 | |
| Sundries | 80 37 | |
| Sundries | 592 37 | |
| Robert Taliaferro | 2 00 | |
| Robert Wickliffe | 46 58 | |
| | | 1,315 08 |
| | | $23,256 86 |

Attest: H. BLANTON.

A copy—attest: D. HOWARD SMITH, *Auditor.*

On motion of Mr. Todd,

*Ordered*, That said report be printed.

Mr. Todd moved that a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by this House of a bill from the Senate, entitled

An act to amend an act, entitled "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 6, 1865.

And the question being taken thereon, it was decided in the negative.

Mr. Gray, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill to cause good school-houses to be erected in the First and Ninth Congressional Districts.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Amendments were offered thereto by Messrs. Ayers and Davidson, which were adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the motion heretofore made to reconsider the vote by which this House adopted an amendment (as a substitute) to a resolution from the Senate, entitled

Resolution in relation to the adjournment of the present General Assembly.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garnett and Bailey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | E. A. Robertson, |
| Wm. A. Allen, | W. H. Evans, | J. P. Sacksteder, |
| A. C. Armstrong, | James B. Fitzpatrick, | J. R. Sanders, |

| | | |
|---|---|---|
| R. Tarv. Baker, | C. D. Foote, | C. C. Scales, |
| W. W. Baldwin, | Wm. Cassius Goodloe, | Wm. Sellers, |
| W. N. Beckham, | Clinton Griffith, | James W. Snyder, |
| J. A. Bell, | Wm. A. Hoskins, | George M. Thomas, |
| J. C. S. Blackburn, | George M. Jessee, | C. W. Threlkeld, |
| Church H. Blakey, | E. Polk Johnson, | Harry I. Todd, |
| W. B. M Brooks, | T. J. Jones, | L. W. Trafton, |
| Thomas P. Cardwell, | L. W. Lassing, | Joseph T. Tucker, |
| John S. Carpenter, | J. S. Lawson, | T. W. Varnon, |
| C. M. Clay, jr., | J. A. McCampbell, | E. F. Waide, |
| Josiah H. Combs, | J. L. Nall, | C. H. Webb, |
| R. L. Cooper, | Mat. Nunan, | J. M. White, |
| Thomas H. Corbett, | John W. Ogilvie, | Mordecai Williams, |
| J. E. Cosson, | Julian N. Phelps, | F. A. Wilson, |
| Joseph M. Davidson, | Hiram S. Powell, | J. M. Wright—55. |
| W. W. Deaderick, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Ayers, | J. Guthrie Coke, | M. E. McKenzie, |
| G. W. Bailey, | James Garnett, | J. C. Moorman, |
| Alpheus W. Bascom, | E A. Graves, | John Rowan, |
| W. R. Bates, | C. P. Gray, | John P. Rowlett, |
| S. C. Bell, | T. M. Johnson, | Samuel M. Sanders, |
| Wm. F. Bond, | Bryan S. McClure, | J. S. Taylor, |
| Robert M Carlisle, | Wm. J. McElroy, | J. L. Waring—22. |
| James S. Chrisman, | | |

And so said vote was reconsidered.

Mr. Rowlett then moved to amend the substitute by striking out the words, "Tuesday, the 26th of March," and inserting in lieu thereof the words "Thursday, the 28th day of March."

And the question being taken on the amendment proposed by Mr. Rowlett, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garnett and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | J. Guthrie Coke, | J. C. Moorman, |
| W. W. Ayers, | J. E. Cosson, | J. L. Nall, |
| G. W. Bailey, | James Garnett, | John Rowan, |
| Alpheus W. Bascom, | E. A. Graves, | John P. Rowlett, |
| W. N. Beckham, | C. P. Gray, | Samuel M. Sanders, |
| S. C. Bell, | Clinton Griffith, | Wm. Sellers, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | J. S. Taylor, |
| Church H. Blakey, | T M. Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | J. A. McCampbell, | L. W. Trafton, |
| W. B. M. Brooks, | Bryan S. McClure, | T. W. Varnon, |
| Robert M. Carlisle, | William J. McElroy, | E. F. Waide, |
| John S. Carpenter, | M. E. McKenzie, | C. H. Webb—37. |
| James S. Chrisman, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. H. Evans, | E. A. Robertson, |
| A. C. Armstrong, | James B. Fitzpatrick, | J. P. Sacksteder, |
| R. Tarv. Baker, | C. D. Foote, | J. R. Sanders, |
| W. W. Baldwin, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. R. Bates, | George M. Jessee, | James W. Snyder, |
| John A. Bell, | E. Polk Johnson, | George M. Thomas, |
| Thomas P. Cardwell, | T. J. Jones, | Harry I. Todd, |
| C. M. Clay, jr., | L. W. Lassing, | Joseph T. Tucker, |
| Josiah H. Combs, | J. S. Lawson, | J. L. Waring, |
| R. L. Cooper, | Mat. Nunan, | J. M. White, |
| Thomas H. Corbett, | John W. Ogilvie, | Mordecai Williams, |
| Joseph M. Davidson, | Julian N. Phelps, | F. A. Wilson, |
| W. W. Deaderick, | Hiram S. Powell, | J. M. Wright—40. |
| John W. Dyer, | | |

And so said amendment was rejected.

Mr. Waide moved to amend the amendment by striking out the "26th day of March," and inserting in lieu thereof "Tuesday, 2d day of April."

The question being taken on the adoption of the amendment proposed by Mr. Waide, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Waide and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| G. W. Bailey, | W. W. Deaderick, | J. L. Nall, |
| W. R. Bates, | James Garnett, | Mat. Nunan, |
| W. N. Beckham, | C. P. Gray, | John P. Rowlett, |
| S. C. Bell, | Wm. A. Hoskins, | William Sellers, |
| Church H. Blakey, | E. Polk Johnson, | C. W. Threlkeld, |
| Wm. F. Bond, | Thos. M. Johnson, | L. W. Tratton, |
| Robert M. Carlisle, | Bryan S. McClure, | E. F. Waide, |
| John S. Carpenter, | Wm. J. McElroy, | J. L. Waring, |
| James S. Chrisman, | J. C. Moorman, | F. A. Wilson—28. |
| J. Guthrie Coke, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | John Rowan, |
| Wm. A. Allen, | W. H. Evans, | J. P. Sacksteder, |
| A. C. Armstrong, | James B. Fitzpatrick, | J. R. Sanders, |
| W. W. Ayers, | C. D. Foote, | Samuel M. Sanders, |
| R. Tarv. Baker, | Wm. Cassius Goodloe, | C. C. Scales, |
| W. W. Baldwin, | E. A. Graves, | James W. Snyder, |
| Alpheus W. Bascom, | George M. Jessee, | J. S. Taylor, |
| John A. Bell, | T. J. Jones, | G. M. Thomas, |
| J. C. S. Blackburn, | L. W. Lassing, | Harry I. Todd, |
| W. B. M. Brooks, | J. S. Lawson, | Joseph T. Tucker, |
| Thomas P. Cardwell, | J. A. McCampbell, | T. W. Varnon, |
| Josiah H. Combs, | M. E. McKenzie, | C. H. Webb, |

| | | |
|---|---|---|
| R. L. Cooper, | John W. Ogilvie, | J. M. White, |
| Thomas H. Corbett, | Julian N. Phelps, | Mordecai Williams, |
| J. E. Cosson, | Hiram S. Powell, | J. M. Wright—47. |
| Joseph M. Davidson, | E. A. Robertson, | |

And so said amendment was rejected.

The question was then again taken on the adoption of the amendment (as a substitute) proposed by Mr. Garnett for the Senate resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Bailey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James Garnett, | John P. Rowlett, |
| W. W. Ayers, | E. A. Graves, | Samuel M. Sanders, |
| G. W. Bailey, | C. P. Gray, | William Sellers, |
| Alpheus W. Bascom, | Bryan S. McClure, | James W. Snyder, |
| S. C. Bell, | William J. McElroy, | J. S. Taylor, |
| W. B. M. Brooks, | M. E. McKenzie, | C. W. Threlkeld, |
| Robert M. Carlisle, | J. C. Moorman, | E. F. Waide, |
| James S. Chrisman, | J. L. Nall, | J. L. Waring, |
| J. Guthrie Coke, | Mat. Nunan, | C. H. Webb—29. |
| J. E. Cosson, | John Rowan, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | Julian N. Phelps, |
| A. C. Armstrong, | John W. Dyer, | Hiram S. Powell, |
| R. Tarv. Baker, | W. H. Evans, | E. A. Robertson, |
| W. W. Baldwin, | James B. Fitzpatrick, | J. P. Sacksteder, |
| W. N. Beckham, | C. D. Foote, | J. R. Sanders, |
| John A. Bell, | Wm. Cassius Goodloe, | C. C. Scales, |
| J. C. S. Blackburn, | Clinton Griffith, | George M. Thomas, |
| Church H Blakey, | Wm. A. Hoskins, | Harry I. Todd, |
| Wm. F. Bond, | E. Polk Johnson, | L. W. Trafton, |
| Thomas P. Cardwell, | T. M. Johnson, | Joseph T. Tucker, |
| John S. Carpenter, | T. J. Jones, | T. W. Varnon, |
| C. M Clay, jr., | L. W. Lassing, | J. M. White, |
| Josiah H. Combs, | J. S. Lawson, | Mordecai Williams, |
| R. L. Cooper, | J. A. McCampbell, | F. A. Wilson, |
| Thomas H. Corbett, | John W. Ogilvie, | J. M. Wright—46. |
| Joseph M. Davidson, | | |

And so said amendment was rejected.

The question was then taken on concurring in the resolution from the Senate, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and S. M. Sanders, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | John W. Dyer, | Hiram S. Powell, |
| A. C. Armstrong, | W. H. Evans, | E. A. Robertson, |

| | | |
|---|---|---|
| R. Tarv. Baker, | James B. Fitzpatrick, | J. P. Sacksteder, |
| W. W. Baldwin, | C. D. Foote, | J. R. Sanders, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | C. C. Scales, |
| John A. Bell, | Wm. A. Hoskins, | Wm. Sellers, |
| Thomas P. Cardwell, | E. Polk Johnson, | J. S. Taylor, |
| C. M. Clay, jr., | T. J. Jones, | George M. Thomas, |
| Josiah H. Combs, | L. W. Lassing, | Harry I. Todd, |
| R. L. Cooper, | J. S. Lawson, | Joseph T. Tucker, |
| Thomas H. Corbett, | J. A. McCampbell, | T. W. Varnon, |
| J. E. Cosson, | Mat. Nunan, | J. M. White, |
| Joseph M. Davidson, | John W. Ogilvie, | Mordecai Williams, |
| W. W. Deaderick, | Julian N. Phelps, | J. M. Wright—42. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James S. Chrisman, | J. L. Nall, |
| W. W. Ayers, | J. Guthrie Coke, | John Rowan, |
| G. W. Bailey, | James Garnett, | John P. Rowlett, |
| W. R. Bates, | E. A. Graves, | Samuel M. Sanders, |
| W. N. Beckham, | C. P. Gray, | James W. Snyder, |
| S. C. Bell, | Clinton Griffith, | C. W. Threlkeld, |
| J. C. S. Blackburn, | George M. Jessee, | L. W. Trafton, |
| Church H. Blakey, | T. M. Johnson, | E. F. Waide, |
| Wm. F. Bond, | Bryan S. McClure, | J. L. Waring, |
| W. B. M. Brooks, | Wm. J. McElroy, | C. H. Webb, |
| Robert M. Carlisle, | M. E. McKenzie, | F. A. Wilson—35. |
| John S. Carpenter, | J. C. Moorman, | |

And so said resolution was concurred in.

The House took up the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Evansville and Jackson Railroad Company.

An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville.

Said amendments were concurred in.

The House took up also the amendment proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz:

An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

Mr. Corbett offered an amendment to the amendment proposed by the Senate, which was adopted.

The amendment proposed by the Senate, as amended, was then concurred in.

Mr. Hoskins offered the following resolution, viz:

*Resolved*, That this House, on adjournment this evening, at 5 o'clock, P. M., will adjourn to meet again at 7 o'clock, P. M.,

session till 9 o'clock, P. M.; and that hereafter the House will meet at 9½ o'clock, A. M., and remain in session till 1 o'clock, P. M, meet again at 3 o'clock, P. M., remain in session till 5½ o'clock, P. M., meet again at 7 o'clock, P. M., and remain in session till 9 o'clock, P. M., and this order of business shall be observed up to the day of final adjournment.

Which was adopted.

On motion, leave of absence, indefinitely, was granted to Messrs. S. M. Sanders, Potter, Foree, and Snyder.

A message was received from the Senate, asking to withdraw from this House the announcement of their disagreement to bills, which originated in the House, of the following titles, viz:

An act to incorporate the German Baptist Bethesda Society.

An act to incorporate Independent Order of Odd Fellows, No. 83, in Hickman, Fulton county.

An act to incorporate the St. Louis Cemetery, near Louisville.

Which was granted.

The House took up for further consideration a bill, entitled

A bill for the appropriation of money.

Mr. Cooper offered the following amendment to said bill, viz:

Amend section four by adding thereto: "And to Isaac Wingate six dollars per day for the time he has assisted the Clerks of the Senate during the present session, to be certified by the Clerk of the Senate."

Mr. S. M. Sanders moved to amend the amendment proposed by Mr. Cooper by adding thereto these words: "To be paid out of the salary of the principal Clerk of the Senate."

And the question being taken on said proposed amendment to the amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sanders and Graves, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | E. A. Graves, | Mat. Nunan, |
| W. W. Ayers, | C. P. Gray, | Samuel M. Sanders, |
| S. C. Bell, | Bryan S. McClure, | William Sellers, |
| W. B. M. Brooks, | William J. McElroy, | J. S. Taylor, |
| Thomas P. Cardwell, | J. C. Moorman, | C. H. Webb, |
| J. E. Cosson, | J. L. Nall, | J. M. White—19. |
| James Garnett, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Josiah H. Combs, | Hiram S. Powell, |
| A. C. Armstrong, | R. L. Cooper, | E. A. Robertson, |
| G. W. Bailey, | Thomas H. Corbett, | John Rowan, |

| | | |
|---|---|---|
| R. Tarv. Baker, | Joseph M. Davidson, | John P. Rowlett, |
| W. W. Baldwin, | W. W. Deaderick, | J. P. Sacksteder, |
| Alpheus W. Bascom, | John W. Dyer, | J. R. Sanders, |
| W. R. Bates, | James B. Fitzpatrick, | C. C. Scales, |
| W. N. Beckham, | Wm. Cassius Goodloe, | James W. Snyder, |
| John A. Bell, | Clinton Griffith, | George M. Thomas, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | Harry I. Todd, |
| Church H. Blakey, | George M. Jessee, | L. W. Trafton, |
| Wm. F. Bond, | E. Polk Johnson, | Joseph T. Tucker, |
| Robert M. Carlisle, | T. M. Johnson, | T. W. Varnon, |
| John S. Carpenter, | T. J. Jones, | E. F. Waide, |
| James S. Chrisman, | J. S. Lawson, | Mordecai Williams, |
| C. M. Clay, jr., | John W. Ogilvie, | J. M. Wright—50. |
| J. Guthrie Coke, | Julian N. Phelps, | |

The amendment proposed by Mr. Cooper was then adopted.

Mr. McElroy moved to amend section 5 by striking out the word "eight," and inserting in lieu thereof, "five 33.100."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Bailey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | C. P. Gray, | John W. Ogilvie, |
| W. W. Ayers, | Wm. A. Hoskins, | Julian N. Phelps, |
| S. C. Bell, | Thos. M. Johnson, | Hiram S. Powell, |
| Church H. Blakey, | T. J. Jones, | Samuel M. Sanders, |
| James S. Chrisman, | G. W. Little, | Wm. Sellers, |
| J. E. Cosson, | J. A. McCampbell, | James W. Snyder, |
| W. H. Evans, | Bryan S. McClure, | George M. Thomas, |
| James Garnett, | Wm. J. McElroy, | C. H. Webb, |
| E. A. Graves, | J. C. Moorman, | J. M. White—27. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Josiah H. Combs, | Mat. Nunan, |
| A. C. Armstrong, | R. L. Cooper, | E. A. Robertson, |
| R. Tarv. Baker, | Thomas H. Corbett, | John Rowan, |
| W. W. Baldwin, | Joseph M. Davidson, | John P. Rowlett, |
| Alpheus W. Bascom, | W. W. Deaderick, | J. P. Sacksteder, |
| W. R. Bates, | John W. Dyer, | J. R. Sanders, |
| W. N. Beckham, | James B. Fitzpatrick, | C. C. Scales, |
| John A. Bell, | C. D. Foote, | J. S. Taylor, |
| J. C. S. Blackburn, | Wm. Cassius Goodloe, | Harry I. Todd, |
| Wm. F. Bond, | Clinton Griffith, | L. W. Trafton, |
| W. B. M. Brooks, | George M. Jessee, | Joseph T. Tucker, |
| Robert M. Carlisle, | E. Polk Johnson, | T. W. Varnon, |
| John S. Carpenter, | J. S. Lawson, | E. F. Waide, |
| C. M. Clay, jr., | M. E. McKenzie, | Mordecai Williams, |
| J. Guthrie Coke, | J. L. Nall, | J. M. Wright—45. |

Mr. Graves then proposed the following amendment to section 6, viz:

Strike out the word "eight," and insert the word "six."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and S. M. Sanders, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Wm. Cassius Goodloe, | Mat. Nunan, |
| John A. Bell, | E. A. Graves, | Julian N. Phelps, |
| S. C. Bell, | T. J. Jones, | Samuel M. Sanders, |
| Robert M. Carlisle, | J. A. McCampbell, | Wm. Sellers, |
| Josiah H. Combs, | Bryan S. McClure, | George M. Thomas, |
| J. E. Cosson, | Wm. J. McElroy, | J. M. White—20. |
| W. H. Evans, | J. C. Moorman, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | W. W. Deaderick, | E. A. Robertson, |
| A. C. Armstrong, | John W. Dyer, | John Rowan, |
| R. Tarv. Baker, | James B. Fitzpatrick, | John P. Rowlett, |
| W. W. Baldwin, | C. D. Foote, | J. R. Sanders, |
| Alpheus W. Bascom, | James Garnett, | C. C. Scales, |
| W. R. Bates, | C. P. Gray, | James W. Snyder, |
| W. N. Beckham, | Clinton Griffith, | J. S. Taylor, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | Harry I. Todd, |
| Church H. Blakey, | George M. Jessee, | L. W. Trafton, |
| Wm. F. Bond, | E. Polk Johnson, | Joseph T. Tucker, |
| W. B. M. Brooks, | Thos. M. Johnson, | T. W. Varnon, |
| Thomas P. Cardwell, | L. W. Lassing, | E. F. Waide, |
| John S. Carpenter, | J. S. Lawson, | J. L. Waring, |
| James S. Chrisman, | G. W. Little, | C. H. Webb, |
| J. Guthrie Coke, | M. E. McKenzie, | Mordecai Williams, |
| R. L. Cooper, | J. L. Nall, | F. A. Wilson, |
| Thomas H. Corbett, | John W. Ogilvie, | J. M. Wright—52. |
| Joseph M. Davidson, | | |

The said bill was then further amended.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following sums of money are hereby appropriated to the following persons, to be paid by the Treasurer, out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor.

§ 2. To the Speakers of the Senate and House of Representatives, ten dollars each per day, during the present session.

§ 3. To the principal Clerks of the Senate and House of Representatives, ten dollars, each, per day, during the present session, and the same for such time as may be necessary, not exceeding ten days after the adjournment, for preparing the acts for publication

§ 4. To the Assistant Clerks of the Senate and House of Representatives, ten dollars, each, per day, during the present session; and to Isaac Wingate, six dollars per day for the time he has assisted the Clerk of the Senate during the present session, to be certified by the Senate.

§ 5. To the Sergeant-at-Arms of the Senate and House of Representatives, each, eight dollars per day, during the present session.

§ 6. To the Door-keepers of the Senate and House of Representatives, each, eight dollars per day, during the present session.

§ 7. To R. G. Burton and William Marshall, Clerks of the Enrolling Committees of the Senate and House of Representatives, eight dollars, each, per day, during the present session.

§ 8. To the Pages of the Senate and House of Representatives, three dollars per day during the present session, each.

§ 9. To the Ministers of the Gospel of Frankfort, three hundred dollars, to be distributed among them by R. A. Thomson, Sergeant-at-Arms of the House of Representatives.

§ 10. To D. D. Sublett, Sergeant-at-Arms of the Senate, for the benefit of Lewis Harris and George Gessoman, each, three dollars per day, during the present session for making fires, waiting on the Senate Chamber and cloak room during the present session.

§ 11. To the Sergeant-at-Arms of the House of Representatives, three dollars per day, during the present session, for services of Robert Duvall, for Page in attendance on the cloak-room.

§ 12 To the Sergeant-at-Arms of the House of Representatives, three dollars per day, during the present session, for the use of John Walsh and Daniel Morton, each, for attending Hall House of Representatives.

§ 13. To the Sergeant-at-Arms of the House of Representatives, three dollars per pay, during the present session, for the use of John Maloy, for wheeling wood

§ 14. To George B. Crittenden, for the use of John H. Morton, one dollar per day, during the present session.

§ 15. To George B. Crittenden, two dollars per day, during the present session, for the use of James Coleman, for attending the "back capitol."

§ 16. To J. G. Hatchitt, for postage on papers, thirty-five dollars and fifty-five cents

§ 17. To G. W. Miller, for work done on stoves and pipes, for Senate and House of Representatives, sixteen dollars.

§ 18. To John L. Moore, for articles furnished House of Representatives, forty-one dollars and eighty-two cents.

§ 19. To Gray, Rodman & Gray, for articles furnished General Assembly, during present session, fifty-six dollars and fifty-five cents.

§ 20. To S. C. Bull, for articles furnished General Assembly, during present session, thirty-three dollars and ten cents.

§ 21. To J. W. South, for chairs furnished Senate and House of Representatives, present session, forty-three dollars.

§ 22. To L. B. Marshall, for articles furnished General Assembly, forty-five dollars and ten cents.

§ 23. To Rodman & Bro., for articles furnished the General Assembly, during the present session, one hundred and thirteen dollars and three cents.

§ 24. To A. B. Reed, for repairs done for the Senate and House of Representatives, during present session, two hundred dollars.

§ 25. To Nancy Morton, for making mail-bags and washing towels for House, ten dollars.

§ 26. To Chas. W. Vogler, for repairs in House of Representatives, during present session of General Assembly, fifty dollars.

§ 27. To Lewis Harris, for washing towels for Senate, five dollars.

§ 28. To Bell Combs, for making mail-bags for Senate, two dollars.

§ 29. To Jas. W. Roberts, Barney M. Heywood, and J. R. Scott, for expenses and per diem while attending investigating committee of Senate, each, eight dollars.

§ 30. To A. T. Pope, for expenses joint committee Senate and House of Representatives visit to Lexington College, forty-one dollars and twenty-five cents.

§ 31. To D. D. Sublett, for expenses in summoning witnesses, five dollars.

§ 32. To the Courier-Journal Company, for furnishing General Assembly —— copies of Courier-Journal at present session, four hundred and forty six dollars and forty cents.

§ 33. To W. H. Stanley, for newspapers furnished General Assembly at the present session, seven hundred and seventy-five dollars.

§ 34. To the Lexington Daily Press, for thirty-three copies of said paper, furnished General Assembly, during the present session, forty-seven dollars.

§ 35. To Major & Johnston, for Yeoman furnished General Assembly the present session, five hundred and fifty dollars.

§ 36. To the Louisville Ledger Company, for papers furnished Senate at present session, one hundred dollars.

§ 37. To publishers Maysville Bulletin, for newspapers furnished this session, four dollars and fifty cents.

§ 38. To Graham Hughes, three dollars per day during the present session, for enrolling bills, in addition to the sum paid him by Clerk for such services.

§ 39. To Thomas S. Pettit, ten dollars, for Owensboro Monitor, furnished present General Assembly.

§ 40. To Sanford Goin, for ice furnished General Assembly, during present session, fifty-six dollars.

§ 41. To J. A. Dawson, for services as commissioner to settle claims of Newton Craig against the Commonwealth, under an act of the General Assembly, one hundred and fifty dollars.

§ 42. To the Clerks of the Senate and House of Representatives, each, such sum as they may respectively certify to the Auditor as paid by them for enrolling bills and resolutions, during the present session.

§ 43. To S. R. Smith, for —— copies of the Commonwealth, furnished the present session, eleven dollars.

§ 44. To W. R. Watson, janitor of Library, three dollars per day, during the present session of the General Assembly, for his services as such.

§ 45. Meek & Bro., nine dollars for Big Sandy Herald, furnished members.

§ 46. This act shall take effect from its passage.

The question was then taken on the passage of said bill, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | W. W. Deaderick, | John W. Ogilvie, |
| A. C. Armstrong, | John W. Dyer, | Julian N. Phelps, |
| W. W. Ayers, | W. H. Evans, | E. A. Robertson, |
| R. Tarv. Baker, | James B. Fitzpatrick, | John Rowan, |
| W. W. Baldwin, | C. D. Foote, | John P. Rowlett, |
| Alpheus W. Bascom, | James Garnett, | J. P. Sacksteder, |
| W. R. Bates, | Wm. Cassius Goodloe, | J. R. Sanders, |
| W. N. Beckham, | E. A. Graves, | Samuel M. Sanders, |
| John A Bell, | C. P. Gray, | C. C. Scales, |
| S. C. Bell, | Clinton Griffith, | William Sellers, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | James W. Snyder, |
| Church H Blakey, | George M. Jessee, | J. S. Taylor, |
| Wm. F. Bond, | E. Polk Johnson, | George M. Thomas, |
| W. B. M. Brooks, | T. M. Johnson, | Harry I. Todd, |
| Robert M. Carlisle, | T. J. Jones, | L. W. Trafton, |
| John S. Carpenter, | L. W. Lassing, | Joseph T. Tucker, |
| James S. Chrisman, | J. S. Lawson, | T. W. Varnon, |
| C. M Clay, jr., | Bryan S. McClure, | E. F. Waide, |
| J. Guthrie Coke, | William J. McElroy, | J. L. Waring, |
| R. D. Cook, | M. E. McKenzie, | C. H. Webb, |
| R. L. Cooper, | J. C. Moorman, | J. M. White, |
| J. E. Cosson, | J. L. Nall, | Mordecai Williams, |
| Joseph M. Davidson, | Mat. Nunan, | J. M. Wright—69. |

In the negative, Hiram S. Powell—1.

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act for the appropriation of money.

With amendments thereto.

Said amendments were taken up and concurred in.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to tax the drawing of lotteries.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Jessee offered an amendment thereto, which was adopted.

*Ordered*, That said bill, as amended, be read a third time to-morrow at 11 o'clock, A. M.

On motion of Mr. Hoskins, leave was given to bring in a bill to authorize the county court of Boyle county to submit to the voters of said county the question of voting a tax to raise a fund to procure the right of way for any railroad or railroads which may be constructed through that county.

*Ordered*, That the Committee on Railroads prepare and bring in the same.

A message was received from the Senate, asking leave to withdraw from this House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Company.

Which was granted.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Graves, from the Committee on Ways and Means—

A bill for the benefit of J. W. Ferguson, late sheriff of Calloway county.

By Mr. Thomas, from the Committee on the Revised Statutes—

A bill for the benefit of John P McAndrew, of Lewis county.

By Mr. Tucker, from the same committee—

A bill for the benefit of the Elizaville and Elizaville Station Turnpike Road Company.

By same—

A bill for the benefit of Jos. W. Mullins, constable, Pendleton county.

By same—

A bill for the benefit of R. H. Brumback, justice of the peace for Pendleton county.

By same—

A bill to incorporate the Ohio Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

By same—

A bill for the benefit of Maria Breckinridge, of Henderson county.

By same—

A bill to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville.

By same—

A bill prescribing additional duties for the assessors.

By Mr. Wright, from the same committee—

A bill to close certain alleys in the town of Falmouth.

By same—

A bill to incorporate the Louisville Collegiate Institute.

By same—

A bill to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

By same—

A bill to amend chapter 28 of the Revised Statutes, entitled "Crimes and Punishments."

By same—

A bill to amend an act, entitled "An act to incorporate the Eastern Kentucky Marble, Lithograph, and Mining Company," approved March 21, 1870.

By same—

A bill to authorize a chancellor to order a survey of land.

By Mr. Griffith, from the Committee on Claims—

A bill for the benefit of Norman Sebree, of Boone county.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill to change the boundary line between the counties of Knox and Josh Bell.

By Mr. Coke, from a select committee—

A bill to amend the charter of the Valley Turnpike and Gravel Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Graves, from the Committee on Education—

An act to incorporate the Alexander College, in the town of Burksville.

By Mr. Tucker, from the Committee on the Revised Statutes—

An act to exempt the wages of laborers who are bona fide housekeepers of this Commonwealth, with a family, from attachment or garnishee, not exceeding fifty dollars.

By same—

An act to amend chapter 28 of Revised Statutes, title "Crimes and Punishments."

By same—

An act to amend the act creating a criminal court for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—

An act to amend the charter of the town of Midway.

By Mr. Tucker, from the Committee on the Revised Statutes—

An act to fix and regulate the time for holding the terms of the circuit courts in the 12th judicial district.

By same—

An act to amend section 96 of the charter of the city of Louisville.

By Mr. Sacksteder, from the Committee on the Judiciary—

An act to provide for advertising of certain judicial sales in Jefferson county.

By Mr. Wright, from the Committee on the Revised Statutes—

An act to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871.

By same—

An act to amend the charter of the city of Henderson.

By same—

An act to incorporate the town of Brandenburg, in Meade county.

By same—

An act to amend the 3d section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the committee who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Thomas, from the Committee on Revised Statutes—

A bill to amend chapter 30 of the Revised Statutes, title "Descent and Distribution."

By same—

A bill to amend article 3, chapter 47, title "Husband and Wife," Revised Statutes.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

The first named bill was placed in the orders of the day, and the second laid on the table.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to revise, digest, and compile the Statute Laws and Codes of Practice of Kentucky."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Graves offered an amendment thereto, which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

Said bill, being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth be, and he is hereby, authorized and directed to set apart a suitable room or rooms in the public buildings, if they can be procured, if not, then to procure suitable rooms in the city of Frankfort, for the use and convenience of the Commissioners to revise and digest the Statute Laws and Codes

of Practice of this Commonwealth, and also to cause such rooms to be properly fitted up and furnished, and all necessary stationery supplied to the Commissioners to enable them to prosecute the work required of them.

§ 2. That the said Commissioners be, and they are hereby, authorized to employ a suitable person, to be selected by them, to perform the duties of a clerk to the Board of Commissioners, and such other duties as the said board may require, at a salary of not more than $5 per day, to be paid out of the Treasury of this Commonwealth.

§ 3. That it shall be the duty of the Public Printer to do and perform such printing as the Commissioners may, from time to time, require to be done during the progress of the work required of them by the act to which this is an amendment.

§ 4. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | E. A. Robertson, |
| Wm. A. Allen, | Joseph M. Davidson, | John P. Rowlett, |
| A. C. Armstrong, | John W. Dyer, | J. P. Sacksteder, |
| W. W. Ayers, | M Woods Ferguson, | J. R. Sanders, |
| R. Tarv. Baker, | James B. Fitzpatrick, | C. C. Scales, |
| W. W. Baldwin, | C. D. Foote, | William Sellers, |
| Alpheus W. Bascom, | Wm. Cassius Goodloe, | James W. Snyder, |
| W. R. Bates, | E. A. Graves, | George M. Thomas, |
| John A. Bell, | Clinton Griffith, | Harry I. Todd, |
| J. C. S. Blackburn, | Wm. A. Hoskins, | L. W. Tratton, |
| Church H. Blakey, | George M. Jessee, | Joseph T. Tucker, |
| W. B. M Brooks, | E. Polk Johnson, | T. W. Varnon, |
| Thomas P. Cardwell, | T. M. Johnson, | E. F. Waide, |
| John S. Carpenter, | L. W. Lassing, | J. L. Waring, |
| C. M. Clay, jr., | J. A. McCampbell, | Mordecai Williams, |
| J. Guthrie Coke, | M. E. McKenzie, | F. A. Wilson, |
| Josiah H. Combs, | J. L. Nall, | S. H. Woolfolk, |
| R. L. Cooper, | John W. Ogilvie, | J. M. Wright—56. |
| Thomas H. Corbett, | Julian N. Phelps, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| S. C. Bell, | G. W. Little, | J. C. Moorman, |
| James Garnett, | Bryan S. McClure, | J. S. Taylor—8. |
| C. P. Gray, | William J. McElroy, | |

*Resolved*, That the title of said bill be as aforesaid.

Mr. Blackburn, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to incorporate the Princeton, Marion, and Ohio River Railroad Company,

Reported the same with amendments thereto, which were adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thomas, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend article 3, chapter 47, title "Husband and Wife," Revised Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The question was taken on ordering said bill to be read a third time, and it was decided in the negative.

And so said bill was rejected.

Mr. Rowlett, from the Committee on Enrollments, reported that they had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the Exchange Bank and Tobacco Warehouse Company;

An act for the benefit of A. E. Camp, jailer of Jefferson county;

An act for the benefit of John Moore, jailer of Green county;

An act to authorize the reduction of Lock street from High street to the line of the Louisville and Portland Canal;

An act to authorize the Ohio and Mississippi Railway Company to take, hold, and convey real estate in the State of Kentucky;

An act to extend the corporate limits of the city of Newport;

An act to amend the charter of the city of Lexington;

A act for the benefit of the Deaf and Dumb Asylum at Danville;

An act to amend section 1, article 21, chapter 28, of the Revised Statutes;

An act to regulate the time of holding circuit courts in the 14th judicial district;

Resolution in relation to the adjournment of the present General Assembly;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872;

An act legalizing orders and proceedings of the Pulaski county court;

An act to exempt Pulaski and Clinton counties from the provisions and requirements of an act approved 11th February, 1867;

An act to amend an act, entitled "An act amending the public school laws in the city of Owensboro," passed and approved the present session of the Legislature;

An act to amend the charter of the Union and Richwood Turnpike Road Company;

An act to amend the charter of the city of Covington;

An act to establish a system of common schools in the town of Corydon, in Henderson county;

An act for the benefit of James Turner, late sheriff of Perry county;

An act to incorporate the Tygart Valley Iron Company;

An act to incorporate the town of Paintsville;

An act to incorporate the Leestown Turnpike Road Company;

An act for the benefit of the New Liberty and Owenton Turnpike Road Company;

An act to incorporate the Broadway Baptist Church, of Louisville;

An act to amend an act, entitled "An act to amend the charter of the Blue Lick Turnpike Road Company," approved February 22d, 1871;

An act to incorporate the White Stone Quarry Company;

An act to incorporate the Louisville Iron and Steel Rail Manufacturing Company;

An act to incorporate the Frankfort Commonwealth Printing Company;

An act to authorize the city of Hopkinsville and county of Christian to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company;

An act to amend the charter of the town of Curdsville, in Daviess county;

An act to amend and reduce into one the several acts incorporating the town of Milburn, in Ballard county;

An act to amend the charter of the Paducah Gas-light Company;

An act to incorporate the Owingsville Cemetery Company;

An act to incorporate the Cross Roads and Cornishville Turnpike Road Company;

An act to amend chapter No. 315 of acts of 1869–'70, entitled "An act to incorporate Rio Bridge Company;"

An act to incorporate the Silas and Townsend Turnpike Company;

An act to incorporate the Liberty and Green River Turnpike Road Company, in Casey county;

An act to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties;

An act for the benefit of the Sulphur Well Branch of the Nicholasville and Kentucky River Turnpike Road Company;

An act to amend the charter of the Cloverport and Hardinsburg Turnpike Road Company, in Breckinridge county;

An act to incorporate the Paducah and Hinklesville Gravel Road Company;

An act to incorporate the Paducah and Mayfield Gravel Road Company;

An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company;

An act to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company;

An act to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company;

An act to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county;

An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county;

An act for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county;

An act for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county;

An act to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road;

An act to incorporate the town of Glenville, in Adair county;

An act to incorporate the Big Sandy Highway Bridge Company;

An act to amend the Eminence and Sulphur Station Turnpike Road Company;

An act to incorporate the Pendleton Station and Wolf Run Turnpike Road Company;

An act to provide for the construction and completion of turnpike roads in Harrison county;

An act to incorporate the Owensboro and Indiana Bridge Company;

An act for the benefit of the Commercial Bank of Kentucky;

An act to amend the charter of the Clarksville and Princeton Railroad Company;

An act to incorporate the Bank of Trenton, in Todd county;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the precinct of Millersburg, Bourbon county;

An act for the benefit of Woodford county;

An act to amend the charter and laws of the town of Belleview, in Campbell county;

An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company;

An act for the benefit of the estate of, and infant heirs of, Harvey Usher, late of Ballard county;

An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads;

An act for the benefit of Kenton county;

An act to amend the charter of the town of Eddyville, in Lyon county;

An act to extend the time for the payment of railroad taxes in Bourbon county;

An act for the benefit of the Louisville Industrial Exposition;

An act for the benefit of A. McCampbell, late sheriff of Jessamine county;

An act to legalize and render valid the actions of the Garrard county court;

An act to empower the overseer of the State road in Trigg county to make a change in said road;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

And then the House adjourned.

## TUESDAY, MARCH 26, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to extend the corporate limits of the city of Newport.

An act to incorporate the Bank of Commerce.

Resolution in relation to the adjournment of the present General Assembly.

That they adhered to their second amendment to a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

That they had concurred in the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to change the boundary line of the city of Columbus.

An act to charter the town of Kuttawa, in Lyon county.

An act to amend the charter of the town of Midway, Woodford county.

That they had concurred in the amendment proposed by the House of Representatives to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

That they had concurred in the adoption of a resolution, which originated in the House of Representatives, entitled

Resolution amendatory of a resolution on the death of Charles S. Morehead, approved February 18, 1869.

That they had disagreed to bills which originated in the House of Representatives, of the following titles, viz:

An act concerning official sales in Clark, Montgomery, Hickman, Bracken, Fulton, and Shelby counties.

An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Company.

An act prescribing additional duties for the assessors.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Independent Order of Odd Fellows, No. 83, in Hickman, Fulton county.

An act to incorporate the Columbus Male and Female Academy, in Hickman county.

An act to incorporate the J. M. S. McCorkle Lodge, No. 355, of Ancient York Free Masons.

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

An act to incorporate the Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical Association.

An act to incorporate the Elm Spring Agricultural and Mechanical Association of Fleming, Mason, and Lewis counties.

An act to incorporate the Agricultural and Mechanical Association of Colored People, of Shelby county.

An act to pay military claims reported by the Quarter-Master General.

An act to incorporate the First Presbyterian Church of Ludlow, Kenton county.

An act to incorporate the Christian Church of Russellville.

An act to incorporate the Richmond Mining Company

An act to incorporate Franklin Lodge, No. 28, F. A. M., in Boyle county.

An act to incorporate the St. Louis Cemetery, near Louisville.

An act to charter Brothers' Lodge, No. 132, of the Independent Order of Odd Fellows, in the city of Owensboro.

An act to incorporate Jefferson Manufacturing and Mining Company.

An act to incorporate the Colored Methodist Episcopal Church in America.

An act to incorporate the St. Augustine Cemetery, near Lebanon, Marion county.

An act to incorporate the Colored Agricultural and Mechanical Association of Woodford county.

An act to incorporate Mount Carmel Baptist Church, in Muhlenburg county.

An act to incorporate the town of Cairo, in Henderson county.

An act to incorporate the Church Aid Society.

An act to incorporate Needham Lodge, No. 174, in Caverna, Hart county, I. O G. T.

An act to incorporate the Southwestern Kentucky Agricultural and Stock-raising Association.

An act to incorporate the Pendleton County Stock Association.

An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky.

An act to amend the charter of the Eastern Kentucky Railway Company.

An act to amend an act, entitled "An act to incorporate the town of Hinklesville, in Ballard county," approved March 6, 1868.

An act to incorporate the Lancaster Benevolent Society.

An act for the benefit of H. S. Powell, of Jackson county.

An act to amend the charter of the Louisville, Memphis, and New Orleans Railway Company.

An act to regulate the running of trains on the Louisville and Nashville Railroad in the town of Elizabethtown.

An act to incorporate the Cumberland River and Big Sandy Railroad Company.

An act for the benefit of Poplar Mountain Coal Company.

An act to incorporate the Kentucky Southern Railroad Company.

An act to reimburse the county court of Fleming county for expenses incurred in keeping, and support of, certain lunatics of said county.

An act to amend the charter of the city of Ludlow.

An act to amend an act chartering the Muldrow's Hill, Campbellsville, and Columbia Turnpike Road Company.

An act for the benefit of the Hillsboro and Wyoming Turnpike Road Company, in Fleming county.

An act to amend the charter of the Elizaville and Fairview Turnpike Road, in Fleming county.

An act to amend the charter of the city of Covington.

An act to incorporate the Frankfort Building and Loan Association.

An act to authorize Glasgow Lodge, No. 65, Independent Order of Odd Fellows, to issue bonds and buy a lot of land.

An act to amend the act incorporating the town of Quincy, in Lewis county, extending the limits of said town, and prohibiting the sale of spirituous, vinous, or malt liquors, and for other purposes.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company,'" approved March 15, 1871.

An act to amend an act, entitled "An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company," approved March 14, 1871.

An act to amend section 3, of chapter 102, of the Revised Statutes, title "Treasury Warrant Claims."

An act for the benefit of H. Hill, of Barren county.

An act for the benefit of Trimble county.

An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson.

An act for the benefit of J. W. Ferguson, late sheriff of Calloway county.

An act for the benefit of Maria Breckinridge, of Henderson county.

An act to incorporate the Louisville Collegiate Institute.

An act to change the boundary line between the counties of Knox and Josh Bell.

An act for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery counties.

An act to incorporate the Bank of Webster.

An act to incorporate the Atlantic and Ohio River Railway Company.

An act to amend and reduce into one the several acts concerning the town of Madisonville.

With amendments to the last four named bills.

And that they had passed bills of the following titles, viz:

1. An act to amend the election laws of this Commonwealth, so as to provide for the registration of voters in towns and cities having a population of two thousand or more inhabitants.

2. An act to incorporate the Christian Church Widows' and Orphans' Home.

3. An act for the benefit of J. N. Tague, F. E. Skidmore, W. Mahoney, W. B. Gillis, and M. Hunter, securities of James B. Cook, late sheriff of Trimble county.

4. An act for the benefit of J. M. Withrow.

5. An act for the benefit of Grant Green.

6. An act for the benefit of Fayette Hewitt.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Corporate Institutions; the 3d to the Committee on Ways and Means; and the 4th, 5th, and 6th to the Committee on Claims.

Mr. Baker, from the select committee who were directed to prepare and bring in the same, reported

A bill to provide a residence for the Governor of Kentucky.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, the third Monday in January next.

Mr. Foote, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act to provide for the organization and regulation of banking companies, and to repeal various charters,

Reported the same without amendment.

*Ordered*, That said bill be printed and placed in the orders of the day.

Mr. Baldwin, from the Committee on Ways and Means, who originated the same, reported

A bill to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

Mr. Blakey offered an amendment thereto.

Mr. Griffith then moved to recommit said bill to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gray and Baldwin, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | T. J. Megibben, | J. S. Taylor, |
| W. W. Ayers, | J. C. Moorman, | C. W. Threlkeld, |
| R. Tarv. Baker, | John W. Ogilvie, | L. W. Trafton, |
| Church H. Blakey, | Hiram S. Powell, | C. H. Webb, |
| John W. Dyer, | John Rowan, | J. M. White, |
| Clinton Griffith, | John P. Rowlett, | F. A. Wilson, |
| T. J. Jones, | J. R. Sanders, | S. H. Woolfolk—22. |
| L. W. Lassing, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | Wm. J. McElroy, |
| A. C. Armstrong, | Joseph M. Davidson, | M. E. McKenzie, |
| W. W. Baldwin, | W. W. Deaderick, | J. L. Nall, |
| Alpheus W. Bascom, | W. H. Evans, | Mat. Nunan, |
| W. R. Bates, | M. Woods Ferguson, | Julian N. Phelps, |
| John A. Bell, | James B. Fitzpatrick, | C. C. Scales, |
| S. C. Bell, | C. D. Foote, | Wm. Sellers, |
| Wm. F. Bond, | James Garnett, | William Tarlton, |
| W. B. M. Brooks, | Wm. Cassius Goodloe, | George M. Thomas, |
| Robert M. Carlisle, | E. A. Graves, | Harry I. Todd, |
| John S. Carpenter, | C. P. Gray, | T. W. Varnon, |
| B. E. Cassilly, | E. Polk Johnson, | E. F. Waide, |
| James S. Chrisman, | T. M. Johnson, | Mordecai Williams, |
| R. L. Cooper, | Bryan S. McClure, | J. L. Waring—42. |

The amendment offered by Mr. Blakey was then adopted.

Mr. Waide moved to reconsider the vote by which the amendment offered by Mr. Blakey was adopted.

The amendment offered by Mr. Blakey was to strike from the bill the words "first day of June," and insert "fifteenth day of December."

Mr. Griffith moved to postpone the further consideration of the bill and place the same in the orders of the day.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffith and Jones, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | George M. Jessee, | J. S. Taylor, |
| W. W. Ayers, | T. J. Jones, | L. W. Trafton, |
| R. Tarv. Baker, | L. W. Lassing, | Joseph T. Tucker, |
| W. N. Beckham, | J. C. Moorman, | C. H. Webb, |
| Church H. Blakey, | John W. Ogilvie, | J. M. White, |
| Thomas P. Cardwell, | Julian N. Phelps, | F. A. Wilson, |
| John W. Dyer, | John Rowan, | J. M. Wright—23. |
| Clinton Griffith, | John P. Rowlett, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| W. W. Baldwin, | Joseph M. Davidson, | J. L. Nall, |
| Alpheus W. Bascom, | W. H. Evans, | Mat. Nunan, |
| W. R. Bates, | James B. Fitzpatrick, | J. P. Sacksteder, |
| John A. Bell, | C. D. Foote, | C. C. Scales, |
| S. C. Bell, | James Garnett, | Wm. Sellers, |
| Wm. F. Bond, | Wm. Cassius Goodloe, | Wm. Tarlton, |
| W. B. M. Brooks, | E. A. Graves, | George M. Thomas, |
| Robert M. Carlisle, | T M. Johnson, | Harry I. Todd, |
| John S. Carpenter, | J. S. Lawson, | T. W. Varnon, |
| B. E. Cassilly, | Bryan S. McClure, | E. F. Waide, |
| James S. Chrisman, | William J. McElroy, | Mordecai Williams, |
| C. M. Clay, jr., | T. J. Megibben, | J. L. Waring—37. |
| R. L. Cooper, | | |

Mr. Griffith then moved to make the bill the special order for this day at 3½ o'clock, P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffith and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Clinton Griffith, | J. S. Taylor, |
| W. W. Ayers, | T. J. Jones, | Harry I. Todd, |
| R. Tarv. Baker, | L. W. Lassing, | L. W. Trafton, |
| W. N. Beckham, | J. C. Moorman, | Joseph T. Tucker, |
| Church H. Blakey, | John W. Ogilvie, | C. H. Webb, |
| Thomas P. Cardwell, | Julian N. Phelps, | J. M. White, |
| W. W. Deaderick, | John Rowan, | F. A. Wilson, |
| John W. Dyer, | J. P. Sacksteder, | J. M. Wright—24. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. E. Cosson, | T. J. Megibben, |
| W. W. Baldwin, | Joseph M. Davidson, | J. L. Nall, |
| Alpheus W. Bascom, | W. H. Evans, | Mat. Nunan, |
| W. R. Bates, | James B. Fitzpatrick, | John P. Rowlett, |
| J. A. Bell, | C. D. Foote, | J. R. Sanders, |
| S. C. Bell, | James Garnett, | C. C. Scales, |
| Wm. F. Bond, | Wm. Cassius Goodloe, | George M. Thomas, |
| W. B. M Brooks, | E A. Graves, | C. W. Threlkeld, |
| Robert M Carlisle, | C. P. Gray, | T. W. Varnon, |
| John S. Carpenter, | George M. Jessee, | E. F. Waide, |
| B. E. Cassilly, | J. S. Lawson, | Mordecai Williams, |
| C. M. Clay, jr., | Bryan S. McClure, | J. L. Waring—38. |
| R. L. Cooper, | Wm. J. McElroy, | |

Mr. Baldwin moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Griffith and Jones, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | R. L. Cooper, | J. L. Nall, |
| W. W. Baldwin, | J. E. Cosson, | Mat. Nunan, |
| Alpheus W. Bascom, | Joseph M. Davidson, | John W. Ogilvie, |
| W. R. Bates, | W. H. Evans, | Julian N. Phelps, |
| John A. Bell, | M. Woods Ferguson, | Hiram S Powell, |
| S. C. Bell, | James B. Fitzpatrick, | John P. Rowlett, |
| Wm. F. Bond, | C. D. Foote, | J. R. Sanders, |
| W. B. M. Brooks, | James Garnett, | C. C. Scales, |
| Thomas P. Cardwell, | Wm. Cassius Goodloe, | William Tarlton, |
| Robert M. Carlisle, | E. A. Graves, | G. M. Thomas, |
| John S. Carpenter, | C. P. Gray, | T. W. Varnon, |
| George Carter, | J. S. Lawson, | E. F. Waide, |
| B. E. Cassilly, | Bryan S. McClure, | J. L. Waring, |
| James S. Chrisman, | Wm. J. McElroy, | Mordecai Williams, |
| C. M. Clay, jr., | M. E. McKenzie, | J. M. White—45. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | E. Polk Johnson, | J. S. Taylor, |
| W. N. Beckham, | T. J. Jones, | Harry I. Todd, |
| Church H. Blakey, | L. W. Lassing, | L. W. Trafton, |
| John W. Dyer, | J. C. Moorman, | C. H. Webb, |
| Clinton Griffith, | John Rowan, | F. A. Wilson—15. |

And so the main question was ordered.

The question was then taken on the motion of Mr. Waide to reconsider the vote by which the amendment offered by Mr. Blakey was adopted, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffith and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| S. C. Bell, | Joseph M. Davidson, | M. E. McKenzie, |
| Wm. F. Bond, | James B. Fitzpatrick, | J. L. Nall, |
| W. B. M. Brooks, | James Garnett, | Mat. Nunan, |
| John S. Carpenter, | E. A. Graves, | J. R. Sanders, |
| James S. Chrisman, | J. S. Lawson, | Mordecai Williams, |
| R. L. Cooper, | G. W. Little, | E. F. Waide—20. |
| J. E. Cosson, | Bryan S. McClure, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Clinton Griffith, | J. S. Taylor, |
| Wm. A. Allen, | E. Polk Johnson, | George M. Thomas, |
| W. W. Ayers, | Thos. M. Johnson, | Harry I. Todd, |
| R. Tarv. Baker, | T. J. Jones, | L. W. Trafton, |
| Alpheus W. Bascom, | Wm. J. McElroy, | Joseph T. Tucker, |
| Church H. Blakey, | T. J. Megibben, | T. W. Varnon, |
| Thomas P. Cardwell, | J. C. Moorman, | J. L. Waring, |

| | | |
|---|---|---|
| Robert M. Carlisle, | John W. Ogilvie, | C. H. Webb, |
| B. E. Cassilly, | Julian N. Phelps, | J. M. White, |
| John W. Dyer, | Hiram S. Powell, | F. A. Wilson, |
| W. H. Evans, | John Rowan, | S. H. Woolfolk, |
| C. D. Foote, | John P. Rowlett, | J. M. Wright—38. |
| C. P. Gray, | C. C. Scales, | |

The main question was then put, "Shall the bill, as amended, be engrossed and read a third time?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Baldwin, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. D. Foote, | Hiram S. Powell, |
| Wm. A. Allen, | James Garnett, | John Rowan, |
| W. W. Ayers, | Wm. Cassius Goodloe, | John P. Rowlett, |
| R. Tarv. Baker, | E. A. Graves, | J. R. Sanders, |
| W. W. Baldwin, | C. P. Gray, | C. C. Scales, |
| Alpheus W. Bascom, | Clinton Griffith, | William Sellers, |
| W. N. Beckham, | E. Polk Johnson, | Wm. Tarlton, |
| John A. Bell, | T. M. Johnson, | J. S. Taylor, |
| S. C. Bell, | T. J. Jones, | George M. Thomas, |
| Church H. Blakey, | J. S. Lawson, | C. W. Threlkeld, |
| Wm. F. Bond, | G. W. Little, | Harry I. Todd, |
| W. B. M. Brooks, | Bryan S. McClure, | L. W. Trafton, |
| Robert M. Carlisle, | William J. McElroy, | Joseph T. Tucker, |
| John S. Carpenter, | M. E. McKenzie, | T. W. Varnon, |
| James S. Chrisman, | T. J. Megibben, | E. F. Waide, |
| C. M. Clay, jr., | J. C. Moorman, | C. H. Webb, |
| R. L. Cooper, | J. L. Nall, | J. M. White, |
| J. E. Cosson, | Mat. Nunan, | Mordecai Williams, |
| John W. Dyer, | John W. Ogilvie, | F. A. Wilson, |
| W. H. Evans, | Julian N. Phelps, | J. M. Wright—61. |
| James B. Fitzpatrick, | | |

And so said bill was rejected.

Said bill, as amended, is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, The sheriff or collector of each county shall account for and pay all taxes and other public moneys for which he is bound into the Treasury by the fifteenth day of December in each year. Upon failure to do so, the sheriff or collector, and his sureties, shall be liable therefor, and compelled to pay the amount of tax due and six per cent. interest on the same, from the said fifteenth day of December preceding until paid, and costs of suit, besides the damages and commissions now imposed by law.

§ 2. That the Auditor shall not sue out execution on any judgment that may be obtained against any sheriff for the revenue due by him

until after the first day of April next after the revenue is due, unless, in the opinion of the Auditor, the suing out of execution is necessary to secure and save the judgment; and if, in the opinion of the Auditor, it is necessary to sue out execution to secure or save such judgment, he must file his written statement to that effect, and then execution may be issued on such judgment. That if any sheriff, who shall fail to pay the revenue due by him at the time required in this act, shall, by the 1st day of April next after said revenue is due, pay the revenue due from him, together with the costs of suit, then the judgment shall be thereby satisfied.

§ 3. That all laws, so far as the same conflict with the provisions of this act, are hereby repealed.

§ 4. This act shall take effect from and after the 1st day of June, 1872.

Mr. Todd moved to reconsider the vote by which the House refused to order said bill to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Griffith, said bill was recommitted to a select committee, consisting of Messrs. Griffith, Chrisman, Graves, Tucker, and Cooper, with instructions to report the same at 5 o'clock, P. M., this day.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

An act to incorporate the White Stone Quarry Company.

An act to exempt Pulaski and Clinton counties from the provisions and requirements of an act approved 11th February, 1867.

An act to incorporate the Tygart Valley Iron Company.

An act to amend the Eminence and Sulphur Station Turnpike Road Company.

An act to incorporate the Pendleton Station and Wolf Run Turnpike Road Company.

An act to incorporate the Cross Roads and Cornishville Turnpike Road Company.

An act to incorporate the town of Glenville, in Adair county.

An act to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road.

An act for the benefit of the Louisville Industrial Exposition.

An act for the benefit of Kenton county.

An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company.

An act to legalize and render valid the actions of the Garrard county court.

An act to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county.

An act for the benefit of James Turner, late sheriff of Perry county;

An act for the benefit of the Sulphur Well Branch of the Nicholasville and Kentucky River Turnpike Road Company.

An act to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

An act to amend the charter of the Paducah Gas-light Company.

An act to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company.

An act to incorporate the Frankfort Commonwealth Printing Company.

An act to amend the charter of the Union and Richwood Turnpike Road Company.

An act to amend chapter No. 315 of acts of 1869–'70, entitled "An act to incorporate Rio Bridge Company."

An act to incorporate the Paducah and Mayfield Gravel Road Company.

An act to amend an act, entitled "An act amending the public school laws in the city of Owensboro," passed and approved the present session of the Legislature.

An act legalizing orders and proceedings of the Pulaski county court.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the precinct of Millersburg, Bourbon county.

An act for the benefit of A. McCampbell, late sheriff of Jessamine county.

An act to amend the charter of the town of Eddyville, in Lyon county.

An act for the benefit of the Commercial Bank of Kentucky.

An act to empower the overseer of the State road in Trigg county to make a change in said road.

An act for the benefit of Woodford county.

An act to extend the time for the payment of railroad taxes in Bourbon county.

An act to amend the charter and laws of the town of Belleview, in Campbell county.

An act to incorporate the town of Paintsville.

An act to incorporate the Leestown Turnpike Road Company.

An act to provide for the construction and completion of turnpike roads in Harrison county.

An act to amend the charter of the Cloverport and Hardinsburg Turnpike Road Company, in Breckinridge county.

An act for the benefit of the estate of, and infant heirs of, Harvey Usher, late of Ballard county.

An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads.

An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company.

An act for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county.

An act for the benefit of Stephen T. Blair and Samuel Blair, of Letcher county.

Resolution extending the present session of the General Assembly.

The House took up the amendment proposed by the Senate to a bill, which originated in this House, entitled

An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

Mr. Jessee offered an amendment to the amendment proposed by the Senate, which was adopted.

The amendment of the Senate, as amended, was then concurred in.

The House took up from the orders of the day a bill from the Senate, entitled

An act for the benefit of the county judge of Henry county,

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the amendments proposed by the Senate to bills, which originated in this House, of the following titles, viz:

An act to regulate the sale of liquors in Marion county.

An act to provide for voting by ballot in the election of Representatives in Congress.

An act for the consolidation and incorporation of the towns of Milton and Kingston, in Trimble county.

Said amendments were concurred in, and the title of the last named bill changed so as to read,

An act to amend the charter of the town of Kingston, in Trimble county.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Varnon, from the Committee on Codes of Practice—

A bill to amend section 834 of Civil Code.

By Mr. Griffith, from the Committee on Claims—

A bill for the benefit of W. S. Shepperd, of Pulaski county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported, without amendment, by the committee to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—

An act to amend the turnpike laws of Henry county.

By same—

An act to provide for the repairing of the Louisville and Nashville Turnpike Road, and to amend the charter thereof.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McElroy withdrew his motion, heretofore made, to reconsider the votes by which this House passed bills of the following titles, viz:

A bill authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river.

A bill authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river.

And thereupon said bills were reported to the Senate.

Mr. Foote read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That so much of the joint resolution heretofore adopted, fixing the 26th instant as the time for the adjournment of this session of the General Assembly, be rescinded; and that when this General Assembly adjourns on the 28th instant, at one o'clock, P. M., it will then adjourn to meet at the time fixed in said joint resolution.

Mr. Foote moved to suspend the rule requiring said resolution to lie on the table one day.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gray and McClure, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | M. Woods Ferguson, | C. C. Scales, |
| A. C. Armstrong, | James B. Fitzpatrick, | William Sellers, |
| A. S. Arnold, | C. D. Foote, | Wm. Tarlton, |
| W. W. Baldwin, | E. A. Graves, | J. S. Taylor, |
| Alpheus W. Bascom, | Clinton Griffith, | C. W. Threlkeld, |
| W. R. Bates, | George M. Jessee, | Harry I. Todd, |
| W. N. Beckham, | T. M. Johnson, | L. W. Tratton, |
| John A. Bell, | T. J. Jones, | Joseph T. Tucker, |
| Church H. Blakey, | L. W. Lassing, | T. W. Varnon, |
| W. B. M. Brooks, | J. S. Lawson, | E. F. Waide, |
| John S. Carpenter, | G. W. Little, | J. L. Waring, |
| C. M. Clay, jr., | William J. McElroy, | C. H. Webb, |
| R. L. Cooper, | T. J. Megibben, | J. M. White, |
| J. E. Cosson, | John W. Ogilvie, | Mordecai Williams, |
| Joseph M. Davidson, | Julian N. Phelps, | F. A. Wilson, |
| W. W. Deaderick, | J. R. Sanders, | J. M. Wright—48. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| G. W. Bailey, | Josiah H. Combs, | J. A. McCampbell, |
| R. Tarv. Baker, | John W. Dyer, | Bryan S. McClure, |
| S. C. Bell, | W. H. Evans, | J. C. Moorman, |
| Wm. F. Bond, | James Garnett, | Mat. Nunan, |
| B. E. Cassilly, | Wm. Cassius Goodloe, | John Rowan, |
| James S. Chrisman, | C. P. Gray, | Geo. M. Thomas—19. |
| J. Guthrie Coke, | | |

The rule being suspended, said resolution was taken up.

Mr. Davidson offered an amendment thereto, which was rejected.

Said resolution was then adopted.

The adoption of said resolution being communicated to the Senate, after a time a message was received therefrom, announcing that they had concurred in the adoption of the same.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the 3d section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862;

An act to amend section 29, chapter 103, Revised Statutes;

An act to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court and with the Jefferson court of common pleas, and to provide a room and offices for his court;

An act to incorporate the Ohio Valley Railroad Company;

An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 22, 1871;

An act to amend an act, entitled "An act for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870;

An act to amend an act, entitled "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 6, 1865;

An act authorizing the clerk of the Boyd circuit court to procure a general cross-index, and to index and cross-index all equity and common law suits of the docket on file in his office;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company;

An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette;

An act for the benefit of H. C. Thompson and W. T. Champion, of Livingston county;

An act authorizing the presiding judge of the Breathitt county court to submit to the qualified voters of said county the propriety of imposing an ad valorem and capitation tax for the construction of a

bridge across the North Fork of the Kentucky river, near the town of Jackson;

An act to charter the Deposit Bank of Mt. Sterling;

An act to prevent and punish certain trespasses in Scott and Woodford counties;

An act for the benefit of A. S. Arnold, late sheriff of Hickman county;

An act for the benefit of Lewis Plummer, jailer of Lewis county;

An act for the benefit of Daniel Lewis, of Adair county;

An act for the appropriation of money;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

The House took up for further consideration a bill from the Senate, entitled

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

The Speaker (Mr. Varnon in the Chair) ruled that the motion to reconsider the vote by which the amendment offered by Mr. Tucker as a substitute for the bill, as also the motion to lay on the table the motion to reconsider, was, at the time they were made, out of order.

The question was then taken on ordering the bill to be read a third time, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davidson and Fitzpatrick, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | J. Guthrie Coke, | T. J. Megibben, |
| Wm. A. Allen, | James Garnett, | J. C. Moorman, |
| J. A. Bell, | Wm. Cassius Goodloe, | John Rowan, |
| S. C. Bell, | C. P. Gray, | John P. Rowlett, |
| Church H. Blakey, | Clinton Griffith, | J. R. Sanders, |
| Wm. F. Bond, | E. Polk Johnson, | C. W. Threlkeld, |
| W. B. M Brooks, | T. M. Johnson, | L. W. Trafton, |
| Robert M. Carlisle, | T. J. Jones, | Joseph T. Tucker, |
| B. E. Cassilly, | J. A. McCampbell, | F. A. Wilson, |
| C. M. Clay, jr., | Wm. J. McElroy, | J. M. Wright—30. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | M. Woods Ferguson, | C. C. Scales, |
| W. W. Ayers, | James B. Fitzpatrick, | William Sellers, |
| W. W. Baldwin, | C. D. Foote, | William Tarlton, |
| Alpheus W. Bascom, | E. A. Graves, | J. S. Taylor, |

| | | |
|---|---|---|
| W. R. Bates, | George M. Jessee, | George M. Thomas, |
| Thomas P. Cardwell, | L. W. Lassing, | Harry I. Todd, |
| Josiah H. Combs, | J. S. Lawson, | J. L. Waring, |
| R. L. Cooper, | Bryan S. McClure, | J. M. White, |
| J. E. Cosson, | J. L. Nall, | Mordecai Williams, |
| Joseph M. Davidson, | John W. Ogilvie, | S. H. Woolfolk—32. |
| John W. Dyer, | Julian N. Phelps, | |

And so said bill was disagreed to.

Mr. Davidson then moved to reconsider the vote by which said bill was disagreed to.

Mr. Deaderick, from the Committee on Enrollments, reported that they had examined an enrolled resolution, which originated in the House of Representatives, of the following title, viz:

Resolution extending the present session of the General Assembly;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

And after a time, a message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed said resolution.

Mr. Garnett, from the Committee on the Revised Statutes, who were directed to prepare and bring in the same, reported

A bill concerning pauper lunatics of this Commonwealth.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Varnon offered an amendment thereto.

Mr. Blakey offered an amendment to the amendment offered by Mr. Varnon.

Mr. Waide offered a substitute for the bill and pending amendments, which was rejected.

Mr. Blakey's amendment to the amendment of Mr. Varnon was also rejected.

The amendment proposed by Mr. Varnon was then adopted.

Mr. Blakey offered a second amendment, which was rejected.

*Ordered*, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, It appears that there is a large number of pauper lunatics in this Commonwealth who cannot be received in the asylums because there is not sufficient room for them; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That where any person of the Commonwealth has been, or may hereafter be, found to be a pauper lunatic, as now prescribed by law, and cannot be received in either of the asylums, some person shall be appointed a committee by the court to take charge of, support, and clothe such lunatic; but before entering on the discharge of his or her duty, he or she shall give bond to the Commonwealth of Kentucky, with good and approved security, that he or she, as the case may be, will treat said lunatic with humanity, give said lunatic wholesome food, clothing, and lodging, and proper medical attention during the time he or she may have the custody of said lunatic; and for said services said committee shall be paid at the rate of $200 per annum, out of any money in the Treasury not otherwise appropriated; but before said payment is made, the clerk of the circuit or county court in which said committee resides shall certify to the Auditor of Public Accounts the time said committee had charge of said lunatic; and when said certificate shall have been received by the Auditor of Public Accounts, he shall draw his warrant on the Treasury, payable to said committee, for the amount due, which sum shall be paid out of any money in the Treasury not otherwise appropriated.

§ 2. It shall be the duty of the several clerks of this Commonwealth, where a person has been found to be a pauper lunatic, to copy the inquisition and judgment of court to the superintendent of one of the asylums; and if said lunatic can be received, he or she, as the case may be, shall be carried there by said committee appointed by the court, and shall be paid for said services as committees are now paid in similar cases.

§ 3. If any committee fails to convey, or have conveyed, any pauper lunatic to the asylum, after having received notice from the superintendent that said lunatic can be received, the pay of said committee shall cease, after having received said notice.

§ 4. Where no person will consent to be appointed a committee to a lunatic, the said lunatic shall be delivered to the jailer of the county, and he shall perform the duties assigned herein to a committee, receive the same pay, and shall be paid as committees are paid herein.

§ 5. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| A. C. Armstrong, | M. Woods Ferguson, | John Rowan, |
| A. S. Arnold, | C. D. Foote, | John P. Rowlett, |
| R. Tarv. Baker, | James Garnett, | J. R. Sanders, |
| W. W. Baldwin, | Wm. Cassius Goodloe, | C. C. Scales, |
| Alpheus W. Bascom, | E. A. Graves, | Wm. Sellers, |
| W. N. Beckham, | C. P. Gray, | George M. Thomas, |

| | | |
|---|---|---|
| John A. Bell, | Clinton Griffith, | C. W. Threlkeld, |
| Wm. F. Bond, | George M. Jessee, | Harry I. Todd, |
| W. B. M. Brooks, | E. Polk Johnson, | Joseph T. Tucker, |
| Robert M. Carlisle, | T. M. Johnson, | T. W. Varnon, |
| John S. Carpenter, | T. J. Jones, | E. F. Waide, |
| B. E. Cassilly, | J. S. Lawson, | J. L. Waring, |
| C. M. Clay, jr., | G. W. Little, | J. M. White, |
| R. L. Cooper, | J. A. McCampbell, | Mordecai Williams, |
| J. E. Cosson, | Wm. J. McElroy, | F. A. Wilson, |
| Joseph M. Davidson, | M. E. McKenzie, | S. H. Woolfolk, |
| John W. Dyer, | Mat. Nunan, | J. M. Wright—53. |
| W. H. Evans, | Julian N. Phelps, | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | James S. Chrisman, | J. L. Nall, |
| S. C. Bell, | Bryan S. McClure, | J. S. Taylor—8. |
| Church H. Blakey, | J. C. Moorman, | |

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Road Company.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Garnett, from the Committee on the Revised Statutes—

An act to amend an act, entitled "An act to amend the charter of the town of Harrodsburg."

By Mr. Waring, from the Committee on Railroads—

An act for the benefit of the Citizens' Passenger Railway Company, of Louisville.

By same—

An act to amend an act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines, approved March 4, 1872.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Garnett, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to amend section 4, article 7, chapter 32, Revised Statutes, approved March 21, 1870.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

Mr. Garnett withdrew the motion heretofore made by him to reconsider the vote by which this House passed a bill, entitled

A bill for the promotion of medical science, and to prevent the traffic in dead human bodies.

And thereupon the bill was reported to the Senate.

Mr Tratton offered the following resolution, viz :

*Resolved*, That from and after the adjournment to-night, at 9 o'clock, P. M., no more business shall be transacted by this House, except to take up and dispose of messages from the Governor and from the Senate.

Which was adopted.

The House took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Paducah Universal Deposit and Trading Bank.

An act for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery counties.

An act to incorporate the Atlantic and Ohio River Railway Company.

Mr. Waring, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to incorporate the Atlantic and Ohio River Railway Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

*Ordered*, That said bill be engrossed and read a third time.

Mr. Cooper moved that said bill do have its third reading now.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tucker and Bates, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | Josiah H. Combs, | J. L. Nall, |
| George W. Anderson, | R. L. Cooper, | Julian N. Phelps, |
| G. W. Bailey, | J. E. Cosson, | J. R. Sanders, |
| R. Tarv. Baker, | M. Woods Ferguson, | C C. Scales, |
| W. W. Baldwin, | James B. Fitzpatrick, | Wm. Sellers, |
| Alpheus W. Bascom, | C. D. Foote, | Wm. Tarlton, |
| W. N. Beckham, | Joseph P. Foree, | J. S. Taylor, |
| John A. Bell, | James Garnett, | George M. Thomas, |
| S. C. Bell, | Wm. Cassius Goodloe, | C. W. Threlkeld, |
| Church H. Blakey, | C. P. Gray, | Harry I. Todd, |
| Wm. F. Bond, | George M. Jessee, | T. W. Varnon, |
| W. B. M. Brooks, | T M. Johnson, | E. F. Waide, |
| Thomas P. Cardwell, | L. W. Lassing, | J. L. Waring, |
| Robert M. Carlisle, | G W. Little, | C. H. Webb, |
| John S. Carpenter, | Bryan S. McClure, | Mordecai Williams, |
| B. E. Cassilly, | William J. McElroy, | F. A. Wilson, |
| C. M. Clay, jr., | M. E. McKenzie, | S. H. Woolfolk—50. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | Clinton Griffith, | John W. Ogilvie, |
| W. R. Bates, | J. A. McCampbell, | John Rowan, |
| John W. Dyer, | T. J. Megibben, | L. W. Trafton, |
| E. A. Graves, | J. C. Moorman, | Joseph T. Tucker—12. |

Said bill, being engrossed, was then read a third time.

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to require the execution of bonds in certain cases.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

The House took up a resolution from the Senate, entitled

Resolution to print and distribute, in pamphlet form, the general laws passed at the present session of the General Assembly.

Said resolution, being twice read, was concurred in.

Mr. Scales offered the following resolution, viz:

*Resolved*, That the Public Printer be, and he is hereby, directed to forward to each member of the House of Representatives, and the officers thereof, such sheets of the Journals of the Senate and House

of Representatives as may not have been printed at the time of the present adjournment of the Legislature, together with a synopsis of the general and the titles of the private acts passed at this session, on which the postage is to be paid; one hundred copies of said synopsis of the acts to be forwarded to each member of this House, and the officers thereof.

Which was adopted.

Bills were reported by the committee who were directed to prepare and bring in the same of the following titles, viz:

By Mr. Fitzpatrick, from the Committee on Revised Statutes—

A bill to prohibit the sale of spirituous, vinous, malt, or intoxicating liquors in the county of Clay.

By same—

A bill for the benefit of Mrs. E. B. Myers, of McCracken county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

## WEDNESDAY, MARCH 27, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate the time of holding circuit courts in the 14th judicial district.

An act for the benefit of Alderson T. Keene, sheriff of Cumberland county.

An act to amend section 1, article 21, chapter 28, of the Revised Statutes.

An act to authorize the reduction of Lock street from High street to the line of the Louisville and Portland Canal.

An act for the benefit of A. E. Camp, jailer of Jefferson county.

An act for the benefit of the Deaf and Dumb Asylum at Danville.

That they had concurred in the amendment proposed by the House of Representatives to a bill, which originated in the Senate, of the following title, viz:

An act for the benefit of the county judge of Henry county,

That they had disagreed to bills which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 28 of the Revised Statutes, entitled "Crimes and Punishments."

An act to authorize the purchase of the footways of the Newport and Cincinnati bridge by certain justices' districts in Newport and vicinity.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville.

An act to close certain alleys in the town of Falmouth.

An act to amend an act, entitled "An act to incorporate the Eastern Kentucky Marble, Lithograph Stone, and Mining Company," approved March 21, 1870.

An act for the benefit of Norman Sebree, of Boone county.

An act to amend the charter of the Valley Turnpike and Gravel Road Company.

That they had adopted a resolution, entitled

Resolution for benefit of W. H. Stanley.

And that they had passed a bill, entitled

An act for the benefit of the Harrodsburg and Cornishville Turnpike Road Company.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Internal Improvement.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by this House to the amendment proposed by the Senate to a bill, which originated in this House, entitled

An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

Bills from the Senate, of the following titles, were reported, without amendment, by the several committees to whom they had been referred, viz:

By Mr. Carpenter, from the Committee on Insurance—

An act to amend an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12, 1870.

By same—

An act for the benefit of the Farmers' Mutual Insurance Company.

By Mr. Trafton, from the Committee on County Courts—

An act to provide for paying for indexing record books in the Warren circuit and county courts.

By Mr. Waring, from the Committee on Railroads—

An act for the benefit of Warren county.

By same—

An act to authorize the counties of Trigg and Calloway to subscribe stock to railroads.

By Mr. Jessee, from the Committee on Charitable Institutions—

An act to incorporate the Central Kentucky Inebriate Asylum

By Mr. Cooper, from the Committee on Education—

An act for the benefit of school district No. 1, of Ohio county.

By Mr. Anderson, from the Committee on Corporate Institutions—

An act to incorporate Brawner's Patent Levee Company.

By same—

An act to incorporate the Christian Church Widows' and Orphans' Home.

By same—

An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company.

By same—

An act to incorporate the Citizens' Bridge Company.

By same—

An act to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company.

By Mr. Griffith, from the Committee on Claims—

An act for the benefit of J. M. Withrow.

By same—

An act for the benefit of Grant Green.

By same—

An act for the benefit of Fayette Hewitt.

By Mr. Cooper, from the Committee on Education—

An act for the benefit of school district No. 60, in Scott county.

By Mr. Wright, from the Committee on the Revised Statutes—

An act to fix and regulate the times of holding the chancery court in Bracken, Pendleton, Campbell, and Kenton counties.

By Mr. Anderson, from the Committee on Corporate Institutions—

An act to establish and incorporate the town of Norton, in Hopkins county.

By same—

An act to charter the Diamond Coal and Mining Company.

By Mr. Graves, from the Committee on Ways and Means—

An act for the benefit of Polk Ditto, sheriff of Henry county.

By Mr. Garnett, from the Committee on the Judiciary—

An act amendatory of the laws in relation to the city of Frankfort.

By Mr. Wright, from the Committee on the Revised Statutes—

An act to amend chapter 84, article 1, "Public Roads," of the Revised Statutes.

By Mr. Ayers, from the Committee on Religion—

An act to prevent the sale of spirituous liquors in the town of Burksville.

By Mr. Davidson, from the Committee on Claims—

An act for the benefit of Rufus D. Smith, of the county of Jessamine.

By Mr. Moorman, from the Committee on Agriculture and Manufactures—

An act for the protection of deer in Breathitt, Morgan, Magoffin, Elliott, and Wolfe counties.

By Mr. Graves, from the Committee on Ways and Means—

An act for the benefit of J. N. Tague, F. E. Skidmore, W. Mahoney, W. B. Gillis, and M. Hunter, securities of James B. Cook, late sheriff of Trimble county.

By Mr. Anderson, from the Committee on Corporate Institutions—

An act to amend an act to incorporate the town of Martinsburg.

By same—

An act to incorporate the town of Beattyville, in Lee county.

By same—

An act to amend the charter of the Great Western Mining and Manufacturing Company.

*Ordered*, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act to pay the expenses of D. R. Haggard, State agent sent to Missouri after Cutter and Taylor, charged with forgery,

Reported the same without amendment.

*Ordered*, That the consideration of said bill be postponed to, and made the special order of the day for, 9th January next.

Mr. Graves offered the following resolutions, viz:

*Resolved by this House*, That its thanks are due, and are hereby tendered, to the Hon. James B. McCreary, the Speaker of this House, for the fair, able, and impartial manner in which he has discharged the duties of Speaker.

2. That the thanks of this House are due, and are hereby tendered, to M. T. Chrisman, Chief Clerk, Thomas S. Pettit, Assistant Clerk, Robert A. Thomson, Sergeant-at-Arms, A. G. King, Door-

keeper, for the faithful and efficient manner in which they have discharged their official duties.

3. And to John Walsh, Janitor, and to Jacob Corbett, Bradley Rich, Robert Duvall, Willie Jessee, and James Lobban, Pages, for the polite and faithful manner with which they have discharged their duty.

Which were unanimously adopted.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Broadway Baptist Church, of Louisville.

An act to incorporate the Paducah and Hinklesville Gravel Road Company.

An act to amend the charter of the Clarksville and Princeton Railroad Company.

An act to establish a system of common schools in the town of Corydon, in Henderson county.

An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

An act for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

An act to amend the charter of the town of Curdsville, in Daviess county.

An act to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties.

An act to incorporate the Silas and Townsend Turnpike Company.

An act to incorporate the Owingsville Cemetery Company.

An act to incorporate the Bank of Trenton, in Todd county.

An act to authorize the city of Hopkinsville and county of Christian to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company.

An act to incorporate the Louisville and Brownsboro Railway Company.

An act for the benefit of John Moore, jailer of Green county.

An act to authorize the Ohio and Mississippi Railway Company to take, hold, and convey real estate in the State of Kentucky.

An act to incorporate the Big Sandy Highway Bridge Company.

An act for the benefit of Lewis Plummer, jailer of Lewis county.

An act authorizing the presiding judge of the Breathitt county court to submit to the qualified voters of said county the propriety of im-

posing an ad valorem and capitation tax for the construction of a bridge across the North Fork of the Kentucky river, near the town of Jackson.

An act to prevent and punish certain trespasses in Scott and Woodford counties.

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

An act for the benefit of A. S. Arnold, late sheriff of Hickman county.

An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

An act for the benefit of H. C. Thompson and W. T. Champion, of Livingston county.

An act for the benefit of Daniel Lewis, of Adair county.

An act to charter the Deposit Bank of Mt. Sterling.

An act for the appropriation of money.

An act to incorporate the Owensboro and Indiana Bridge Company.

A message was received from the Senate, asking to withdraw from this House the announcement of their disagreement to a bill, which originated in this House, entitled

An act regulating defenses in actions of trespass in Carroll and Trimble counties.

Which was granted.

And after a time, a message was again received from the Senate, announcing that they had passed said bill, with an amendment thereto.

Which amendment was taken up by the House and concurred in.

The House took up the amendment proposed by the Senate to a resolution, which originated in this House, entitled

Resolution providing for the purchase of a library for the Kentucky Penitentiary.

Said amendment was concurred in.

The House took up the amendments proposed by the Senate to bills, which originated in this House, of the following titles, viz:

An act to incorporate the Bank of Webster.

An act to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville.

An act for the benefit of Webster county.

An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

An act to reduce into one, amend, and digest the act, and amendatory acts, incorporating the town of North Middletown, in Bourbon county.

An act for the benefit of John S. Mattingly, sheriff of Meade county.

An act to incorporate the Mercantile Bank, of Louisville.

An act to regulate official sales in Woodford county.

An act to amend an act, entitled, "An act to incorporate the Union County Bank."

An act to incorporate the Good Templars' Joint Stock Company of the town of Monterey, in Owen county.

An act to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7, 1850.

An act to revise, amend, and reduce into one the acts pertaining to the district of Highlands, in the county of Campbell.

An act empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses.

An act to confer upon the town marshal of Parksville, Boyle county, the rights, duties, and powers of constables in civil cases.

An act for the benefit of Wm. Risner and Chas. Menix, sureties of Stephen Howard, sheriff of Magoffin county.

Said amendments were severally concurred in.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines, approved March 4, 1872;

An act to incorporate the Westport, Carrollton, and Ghent Railroad Company;

An act to amend section 7, chapter 105, of the Revised Statutes, in relation to weights and measures;

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company;

An act to provide for advertising of certain judicial sales in Jefferson county;

An act to amend the 3d section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862;

An act to exempt the wages of laborers who are bona fide housekeepers of this Commonwealth, with a family, from attachment or garnishee, not exceeding fifty dollars;

An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company;

An act to incorporate the Alexander College, in the town of Burksville;

An act to amend an act, entitled "An act to amend the charter of the town of Harrodsburg;"

An act to amend the charter of Leesburg;

An act for the benefit of common school district No. 50, in Mason county;

An act for the benefit of Wilson Morgan, sheriff of Clay county;

An act for the benefit of Thomas D. Grundy, sheriff of McCracken county;

An act to incorporate the Central Kentucky Medical Association;

An act to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871;

An act to amend section 2d of an act, entitled "An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds;

An act to amend chapter 28 of Revised Statutes, title "Crimes and Punishments;"

An act for the benefit of Joseph F. Perrie, of Mason county;

An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved 22d March, 1871;

An act for the benefit of the Citizens' Passenger Railway Company, of Louisville;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled

Resolution in relation to the Louisville and Portland Canal.

The rule requiring joint resolutions to lie on the table one day being suspended, the said resolution was taken up, twice read, and concurred in.

The House took up the further consideration of the second amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

The House then receded from its disagreement to the said amendment, and concurred in the same.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to authorize a chancellor to order a survey of land,

With an amendment thereto.

Said amendment was taken up and concurred in.

A message was also received from the Senate, announcing that they had passed a bill of the following title, viz:

An act for the benefit of John P. Barrett, sheriff of Ohio county.

The rule requiring its reference to a committee was suspended, and said bill taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Garnett, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to increase the jurisdiction of the justices of the peace, and of the judge of the quarterly court of Bracken and other counties,

Reported the same with an amendment, which was concurred in.

Mr. Bush offered an amendment thereto, which was adopted.

Mr. Thomas moved to amend said bill by striking out all thereof after the enacting clause.

And the question being taken thereon, it was decided in the negative.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the motion, heretofore made, to reconsider the vote by which this House refused to order to be read a third time, as amended by the House, a bill from the Senate, entitled

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

The question being taken on the motion to reconsider said vote, it was decided in the affirmative.

Mr. Tucker then moved to reconsider the vote by which the amendment (as a substitute) offered by him was adopted.

And the question being taken thereon, it was decided in the affirmative.

By unanimous consent, Mr. Tucker then withdrew his said amendment, and offered another in lieu thereof, which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Hoskins, from the Committee on Railroads—

A bill to authorize the county courts of Grant and other counties to submit a vote of tax to provide the right of way for railroads.

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to authorize the formation of corporations for manufacturing, mining, transporting, mechanical, or chemical purposes, in Carroll county.

By Mr. Garnett, from the Committee on the Revised Statutes—

A bill to prohibit the sale of spirituous liquors, &c., in Simpson county.

By same—

A bill for the benefit of W. S. Miller, jr., marshal of the town of Lancaster.

By Mr. Powell, from the Committee on Religion—

A bill to take the sense of the qualified voters of Boyle county in relation to liquor license in said county.

Which were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills, which originated in this House, of the following titles, viz:

An act to authorize the formation of corporations for manufacturing, mining, transporting, mechanical, or chemical purposes, in Carroll county.

An act to incorporate the Atlantic and Ohio River Railway Company.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to prevent the small-pox.

Which was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Bascom,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, 20th January next.

Mr. Todd, from the Committee on Public Offices, to whom was referred a bill from the Senate, entitled

An act to promote public service in the Auditor's office,

Reported the same without amendment.

On motion of Mr. Todd,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, 15th January next.

Mr. Todd, from the same committee, to whom was referred a bill from the Senate, entitled

An act to increase the salary of the chief clerk of the Land Office,

Reported the same without amendment.

On motion of Mr. Todd,

*Ordered*, That the further consideration of said bill be postponed to, and made the special order of the day for, 15th January next.

A message was received from the Senate, announcing that they had adopted a resolution of the following title, viz:

Resolution in relation to a uniform tax on tobacco by the General Government.

The rule requiring joint resolutions to lie on the table one day being suspended, the said resolution was taken up, twice read, and concurred in.

Mr. Davidson, from the Committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act for the benefit of the officers and soldiers of the thirty-first regiment of enrolled militia," approved February 7, 1866,

Reported the same without amendment.

Said bill was placed in the orders of the day.

The House then took up the resolution, which originated in the Senate, entitled

Resolution for benefit of W. H. Stanley.

Said resolution was read a second time as follows, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasury in favor of W. H. Stanley, for the sum of ninety-eight dollars, which the Treasurer is hereby directed to pay to said Stanley out of any money in the Treasury not otherwise appropriated.

2. This resolution shall take effect from and after its passage.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and S. C. Bell, were as follows, viz:

Those who voted in the affirmative, were--

| | | |
|---|---|---|
| Mr. Speaker (M'Creary) | C. D. Foote, | E. A. Robertson, |
| George W. Anderson, | Joseph P. Foree, | J. R. Sanders, |
| R. Tarv. Baker, | James Garnett, | C. C. Scales, |
| W. W. Baldwin, | Wm. Cassius Goodloe, | William Sellers, |
| Alpheus W. Bascom, | Clinton Griffith, | Wm. Tarlton, |
| John A. Bell, | Wm. A. Hoskins, | J. S. Taylor, |

| | | |
|---|---|---|
| J. C. S. Blackburn, | T. M. Johnson, | George M. Thomas, |
| W. B. M. Brooks, | L. W. Lassing, | C. W. Threlkeld, |
| Thomas P. Cardwell, | J. S. Lawson, | Harry I. Todd, |
| Robert M. Carlisle, | G. W. Little, | L. W. Trafton, |
| John S. Carpenter, | J. A. McCampbell, | T. W. Varnon, |
| C. M. Clay, jr., | William J. McElroy, | J. L. Waring, |
| R. L. Cooper, | J. C. Moorman, | Mordecai Williams, |
| Joseph M. Davidson, | Mat. Nunan, | S. H. Woolfolk, |
| W. W. Deaderick, | Hiram S. Powell, | J. M. Wright—45. |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Wm. A. Allen, | C. P. Gray, | Julian N. Phelps, |
| S. C. Bell, | Bryan S. McClure, | J. M. White—7. |
| E. A. Graves, | | |

Mr. Scales offered the following resolution, viz:

*Resolved*, That when this House adjourns to-day at 5 o'clock, P. M., it will adjourn till 10½ o'clock, A. M., to-morrow.

Which was adopted.

The House took up a joint resolution from the Senate, entitled

Resolution directing Public Printer to print synopsis of public acts, &c.

Said resolution was read a second time as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Public Printer print five thousand copies of a synopsis of the Acts of the present General Assembly, and that he forward the same by mail to the members of the Senate and House of Representatives.

Said resolution was concurred in.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend section 834 of Civil Code.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river.

An act authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river.

An act for the benefit of John P McAndrew, of Lewis county.

An act for the benefit of the Elizaville and Elizaville Station Turnpike Road Company.

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

An act for the benefit of W. S. Shepperd, of Pulaski county.

And that they had passed a bill of the following title, viz:

An act for the protection of livery stable keepers in McLean county.

The rule requiring its reference to a committee being suspended, the said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company and Chesapeake and Ohio Railway Company to bridge the Big Sandy river;

An act to amend the charter of the city of Henderson;

An act to incorporate Brawner's Patent Levee Company;

An act to incorporate the Princeton, Marion, and Ohio River Railroad Company;

An act to amend the act creating a criminal court for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton;

An act to amend section 96 of the charter of the city of Louisville;

An act to incorporate the National Construction Company;

Resolution for the benefit of W. H. Stanley;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Bourbon Building and Savings Association, of Paris;

An act legalizing certain orders of the Mercer county court;

An act in aid of the construction of a levee on the Mississippi river, in Fulton county;

An act to amend the charter of the Commonwealth Insurance Company;

An act to incorporate the Harrodsburg and Chaplin River Turnpike Road Company;

An act to incorporate the Steele's Turnpike Road Company;

An act to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county;

An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company;

An act to charter the Lockport and Bethlehem Turnpike Road Company;

An act to incorporate the Bardstown and Fairfield Turnpike Road Company;

An act to amend the charter, and the amendments thereto, of the town of Stanford;

An act amending an act incorporating the Paducah Savings Bank;

An act to incorporate the First German Savings Bank, of Louisville;

An act to legalize the judgments and orders of Greenup county quarterly court at its March term, 1869;

An act to amend the charter of the town of Mt. Sterling;

An act for the benefit of Winchester Lodge, No. 20, A. Y. F. and A. Masons;

An act for the benefit of Clark county;

An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Elizabethtown and Paducah Railroad Company, and the acts amendatory thereto;"

An act to regulate the running of ferries and ferry rates in the city of Covington;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Poplar Plains, in Fleming county;

An act authorizing the Buffalo Springs Cemetery Company to have lands condemned for their use;

An act for the benefit of Amos Davis, sheriff of Morgan county;

An act providing for the collection of railroad tax in Elliott county;

An act to authorize the Boone county court to appoint trustees for the Burlington burying-ground, and prescribing their duties;

An act to authorize the county court of Hickman county to raise money to build a new court-house in said county, in the town of Clinton;

An act to locate the county seat for Hickman county;

An act to incorporate the town of Linton, in Trigg county;

An act authorizing the Carter county court to appoint a commissioner and receiver of the funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company;

An act to authorize the school commissioner of Hardin county to sell the property known as the Hardin County Male Seminary;

An act for the benefit of Washington county;

An act to amend the charter of Elizabethtown;

An act to require the clerk of the Kenton county court to make a cross-index of deeds and mortgages recorded at Covington;

An act to authorize the city of Henderson to issue bonds for railroad purposes;

An act to provide for voting by ballot in the election of Representatives in Congress;

An act concerning the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receivers of the Louisville chancery court;

An act to incorporate the Elm Spring Agricultural and Mechanical Association of Fleming, Mason, and Lewis counties;

An act to incorporate the Christian Church of Russellville;

An act to incorporate Jefferson Manufacturing and Mining Company;

An act to incorporate Mount Carmel Baptist Church, in Muhlenburg county;

An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville;

An act for the benefit of Samuel Sublett, of Woodford county;

An act to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company;

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company;

An act to incorporate the Evansville and Jackson Railroad Company;

An act to amend the charter of the Eastern Kentucky Railway Company;

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries," so far as it applies to Martin's creek and Hurricane pond or slough, in Daviess county;

An act to incorporate the Hartford, Calhoon, and Morganfield Railroad Company;

An act to amend an act, entitled "An act to require the county courts to have one or more fire-proof vaults for the safe-keeping of the public records in their respective counties;"

An act to authorize the members of the bar of the Kenton county court to elect a special judge;

An act to incorporate the Lancaster Benevolent Society;

An act for the benefit of H. S. Powell, of Jackson county;

An act to require the clerk of the Johnson county court to index certain order books and other records in his office;

An act to provide for the payment of the expenses incurred in taking care of a pauper lunatic;

An act to amend the charter of the city of Ludlow;

An act to amend the charter of the Elizaville and Fairview Turnpike Road, in Fleming county;

An act to incorporate the Frankfort Building and Loan Association;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company,'" approved March 15, 1871;

An act to amend an act, entitled "An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company," approved March 14, 1871;

An act to amend section 3, of chapter 102, of the Revised Statutes, title "Treasury Warrant Claims;"

An act for the benefit of J. W. Ferguson, late sheriff of Calloway county;

An act for the benefit of Maria Breckinridge, of Henderson county;

An act to change the boundary line between the counties of Knox and Josh Bell;

Resolution directing Auditor to draw his warrant on Treasury for sundry sums of money;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

And then the House adjourned.

## THURSDAY, MARCH 28, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Ohio Valley Railroad Company.

An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 22, 1871.

An act to amend an act, entitled "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 6, 1865.

An act to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court and with the Jefferson court of common pleas, and to provide a room and offices for his court.

An act to amend an act, entitled "An act for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

An act to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

An act to amend section 29, chapter 103, Revised Statutes.

An act authorizing the clerk of the Boyd circuit court to procure a general cross-index, and to index and cross-index all equity and common law suits of the docket on file in his office.

That they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act concerning pauper lunatics of this Commonwealth.

An act for the benefit of W. S. Miller, jr., marshal of the town of Lancaster.

An act to incorporate the Ohio Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

An act to take the sense of the qualified voters of Boyle county in relation to liquor license in said county.

An act in relation to the collection of the turnpike road tax in Lewis county.

Mr. Deaderick, from the Committee on Enrollments, reported that they had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to provide for the repairing of the Louisville and Nashville Turnpike Road, and to amend the charter thereof;

An act to amend the turnpike laws of Henry county;

An act to incorporate the town of Brandenburg, in Meade county;

An act for the benefit of Rufus D. Smith, of the county of Jessamine;

An act to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company;

An act to charter the Diamond Coal and Mining Company;

An act for the benefit of Polk Ditto, sheriff of Henry county;

An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company;

An act to prevent the sale of spirituous liquors in the town of Burksville;

An act to incorporate the Citizens' Bridge Company;

An act for the protection of deer in Breathitt, Morgan, Magoffin, Elliott, and Wolfe counties;

An act to amend chapter 84, article 1, "Public Roads," of the Revised Statutes;

An act amendatory of the laws in relation to the city of Frankfort;

An act for the benefit of school district No. 1, of Ohio county;

An act to fix and regulate the times of holding the chancery court in Bracken, Pendleton, Campbell, and Kenton counties;

An act for the benefit of school district No. 60, in Scott county;

An act to incorporate the Christian Church Widows' and Orphans' Home;

An act for the benefit of John P. Barrett, sheriff of Ohio county;

An act to establish and incorporate the town of Norton, in Hopkins county;

An act to amend an act to incorporate the town of Martinsburg;

An act to amend the charter of the Great Western Mining and Manufacturing Company;

An act for the protection of livery stable keepers in McLean county;

An act for the benefit of J. N. Tague, F. E. Skidmore, W. Mahoney, W. B. Gillis, and M. Hunter, securities of James B. Cook, late sheriff of Trimble county;

An act to incorporate the town of Beattyville, in Lee county;

An act to incorporate the Central Kentucky Inebriate Asylum;

Resolution to print and distribute, in pamphlet form, the general laws passed at the present session of the General Assembly;

Resolution in relation to the Louisville and Portland Canal;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of J. B. Ross, former sheriff of Ballard county;

An act to incorporate the Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical Association;

An act to prohibit the sale of liquor in Letcher county;

An act to declare the South Fork of Quicksand creek, and other creeks in Breathitt county, navigable streams;

An act for the benefit of B. F. Mulliken, of Robertson county;

An act to incorporate the New Castle and Gray Farm Turnpike Road Company;

An act to provide for the appointment of deputy constables in the city of Covington;

An act to amend an act, approved March 2, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses;'"

An act to amend an act, entitled "An act for the benefit of Boone county," approved January 30, 1871;

An act to change the time of holding the court of claims in the county of Robertson;

An act to amend an act establishing a graded road from London, in Laurel county, to Booneville, in Owsley county;

An act to amend an act to authorize commissioners to sell the poor-house farm of Henry county;

An act for the benefit of H. Hill, of Barren county;

An act for the benefit of Trimble county;

An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson;

An act concerning pauper lunatics of this Commonwealth;

An act for the benefit of Maggie G. Roberts, of Montgomery county;

An act to reduce into one, amend, and digest the act, and amendatory acts, incorporating the town of North Middletown, in Bourbon county;

An act to exempt A. P. Boyes and others from working on any dirt road in Harrison county;

An act to amend the charter of the Paducah and Gulf Railroad Company, approved February 26, 1869;

An act to increase the duties of the county attorney of Barren county;

An act to amend an act, entitled "An act to incorporate the Henderson Running Park Association," approved March 9, 1868;

An act to authorize the county court of Trigg county to sell the poor house therein;

An act for the benefit of the county and circuit court clerks of Boyd county;

An act regulating the listing of property for local taxation in Washington county;

An act to change the time of holding the court of claims of Carter county;

An act to empower the trustees of the town of Cadiz to sell old cemetery property not inclosed;

An act for the benefit of Poplar Mountain Coal Company;

An act for the benefit of Clark county;

An act authorizing the Auditor to remit damages on delinquent property;

An act for the benefit of the Hillsboro and Wyoming Turnpike Road Company, in Fleming county;

An act to provide for the building of turnpike roads in Adair county;

An act for the benefit of the Elizaville and Elizaville Station Turnpike Road Company;

An act to incorporate Independent Order of Odd Fellows, No. 83, in Hickman, Fulton county;

An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle;

An act to regulate the sale of liquors in Marion county;

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington;

An act to incorporate the First Presbyterian Church of Ludlow, Kenton county;

An act to incorporate the Richmond Mining Company;

An act to incorporate Franklin Lodge, No. 28, F. A. M., in Boyle county;

An act to incorporate the St. Louis Cemetery, near Louisville;

An act to charter Brothers' Lodge, No. 132, of the Independent Order of Odd Fellows, in the city of Owensboro;

An act to incorporate the Colored Methodist Episcopal Church in America;

An act to incorporate the St. Augustine Cemetery, near Lebanon, Marion county;

An act to incorporate the Colored Agricultural and Mechanical Association of Woodford county;

An act to incorporate the Joint Stock Agricultural and Mechanical Association of Colored People, of Madison county;

An act to amend the charter of the town of Kingston, in Trimble county;

An act to incorporate Needham Lodge, No. 174, in Caverna, Hart county, I. O. G. T.;

An act to incorporate the Southwestern Kentucky Agricultural and Stock-raising Association;

An act to incorporate the Pendleton County Stock Association;

An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky;

An act to incorporate the Paducah Universal Deposit and Trading Bank;

An act regulating defenses in actions of trespass in Carroll and Trimble counties;

An act to amend an act, entitled "An act to incorporate the town of Hinklesville, in Ballard county," approved March 6, 1868;

An act for the benefit of John S. Mattingly, sheriff of Meade county.

An act to regulate the running of trains on the Louisville and Nashville Railroad in the town of Elizabethtown;

An act to incorporate the Cumberland River and Big Sandy Railroad Company;

An act to amend the charter of the city of Covington;

An act to authorize Glasgow Lodge, No. 65, Independent Order of Odd Fellows, to issue bonds and buy a lot of land;

An act to amend the act incorporating the town of Quincy, in Lewis county, extending the limits of said town, and prohibiting the sale of spirituous, vinous, or malt liquors, and for other purposes;

An act for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery counties;

An act to close certain alleys in the town of Falmouth;

An act to amend an act, entitled "An act to incorporate the Eastern Kentucky Marble, Lithograph Stone, and Mining Company," approved March 21, 1870;

An act for the benefit of Norman Sebree, of Boone county;

An act to amend the charter of the Valley Turnpike and Gravel Road Company;

An act for the benefit of W. S. Miller, jr., marshal of the town of Lancaster;

An act to incorporate the Kentucky Southern Railroad Company;

Resolution amendatory of a resolution on the death of Charles S. Morehead, approved February 18, 1869;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

Mr. Hoskins read and laid on the table the following joint resolution, viz:

WHEREAS, It is now evident, that, by reason of the great number of bills in the hands of the Enrolling Clerks for examination, they cannot reach the Governor for his approval or rejection within the time prescribed for the adjournment of this General Assembly; now, therefore, that time may be given to complete and perfect such acts as have passed, and are only awaiting the approval of the Governor,

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That so much of the joint resolution, heretofore adopted, as fixes this day, at one o'clock, P. M., for an adjournment of this session, be rescinded; and that the session shall be extended and continued until the 29th March, 1872, at one o'clock, P. M., and to meet again on the 7th January, 1873, at twelve o'clock, M.

The rule requiring joint resolutions to lie on the table one day being suspended, the said resolution was taken up, twice read, and adopted.

Said resolution being transmitted to the Senate, after a time a message was received therefrom, announcing that they had concurred in the adoption thereof.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in the House of Representatives, of the following title, viz:

Resolution extending the present session of the Legislature;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

A message was received from the Senate, asking leave to withdraw from this House the announcement of their disagreement to a bill, which originated in this House, entitled

An act to incorporate the Pendleton Building and Savings Association of Falmouth.

Which was granted.

And after a time, a message was received from the Senate, announcing that they had passed said bill.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company.

An act for the benefit of common school district No. 50, in Mason county.

An act for the benefit of Wilson Morgan, sheriff of Clay county.

An act to amend the charter of Leesburg.

An act to amend section 7, chapter 105, of the Revised Statutes, in relation to weights and measures.

An act to amend section 2d of an act, entitled "An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds."

An act for the benefit of Joseph F. Perrie, of Mason county.

An act for the benefit of Thomas D. Grundy, sheriff of McCracken county.

An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved 22d March, 1871.

An act to amend an act, entitled "An act to amend the charter of the town of Harrodsburg."

An act to fix and regulate the time for holding the terms of the circuit courts in the 12th judicial district.

An act for the benefit of the Citizens' Passenger Railway Company, of Louisville.

An act to amend an act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines, approved March 4, 1872.

An act to exempt the wages of laborers who are bona fide housekeepers of this Commonwealth, with a family, from attachment or garnishee, not exceeding fifty dollars.

An act to amend the 3d section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

An act to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871.

An act to amend chapter 28 of Revised Statutes, title "Crimes and Punishments."

An act to provide for advertising of certain judicial sales in Jefferson county.

An act for the benefit of the county judge of Henry county.

An act to incorporate the Alexander College, in the town of Burksville.

An act to amend the charter of the city of Henderson.

An act to amend section 96 of the charter of the city of Louisville.

An act to incorporate the Central Kentucky Medical Association.

An act to amend the act creating a criminal court for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton.

An act to provide for the payment of the expenses incurred in taking care of a pauper lunatic.

An act to authorize the members of the bar of the Kenton county court to elect a special judge.

An act to incorporate Mount Carmel Baptist Church, in Muhlenburg county.

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to incorporate the Elm Spring Agricultural and Mechanical Association of Fleming, Mason, and Lewis counties.

An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company.

An act to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and

signed an enrolled resolution, which originated in the House of Representaives, of the following title, viz:

Resolution extending present session of the Legislature.

Mr. Deaderick, from the Committee on Enrollments, reported that they had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Farmers' Mutual Insurance Company;

An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation;"

An act for the benefit of Warren county;

An act to amend an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12, 1870;

An act to authorize the counties of Trigg and Calloway to subscribe stock to railroads;

An act to provide for paying for indexing record books in the Warren circuit and county courts;

An act to amend the charter of the town of Midway;

An act for the benefit of J. M. Withrow;

An act for the benefit of Grant Green;

An act for the benefit of Fayette Hewitt;

Resolution directing Public Printer to print synopsis of public acts, &c.;

Resolution in relation to a uniform tax on tobacco by the General Government;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Pendleton Building and Savings Association of Falmouth;

An act in relation to the collection of the turnpike road tax in Lewis county;

An act to pay military claims reported by the Quarter-Master General;

An act to incorporate the Bank of Webster;

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties;

An act to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville;

An act to incorporate the town of Cairo, in Henderson county;

An act to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7, 1850;

An act to amend an act, entitled, "An act to incorporate the Union County Bank;"

An act to incorporate the Mercantile Bank, of Louisville;

An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867;

An act for the benefit of Farish Arnett, sheriff of Magoffin county;

An act for the benefit of Webster county;

An act to regulate official sales in Woodford county;

An act empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses;

An act to revise, amend, and reduce into one the acts pertaining to the district of Highlands, in the county of Campbell;

An act to confer upon the town marshal of Parksville, Boyle county, the rights, duties, and powers of constables in civil cases;

An act to reimburse the county court of Fleming county for expenses incurred in keeping, and support of, certain lunatics of said county;

An act to incorporate the Good Templars' Joint Stock Company of the town of Monterey, in Owen county;

An act to incorporate the Church Aid Society;

An act authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river;

An act authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river;

An act to incorporate the Atlantic and Ohio River Railway Company;

An act for the benefit of Wm. Risner and Chas. Menix, sureties of Stephen Howard, sheriff of Magoffin county;

An act to take the sense of the qualified voters of Boyle county in relation to liquor license in said county;

An act for the benefit of John P McAndrew, of Lewis county;

An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville;

An act to incorporate the Ohio Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines;

An act to incorporate the Louisville Collegiate Institute;

An act to incorporate the Columbus Male and Female Academy, in Hickman county;

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways;'"

An act to authorize a chancellor to order a survey of land;

An act for the benefit of W. S. Shepperd, of Pulaski county;

An act to authorize the formation of corporations for manufacturing, mining, transporting, mechanical, or chemical purposes, in Carroll county;

Resolution providing for the purchase of a library for the Kentucky Penitentiary;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Poplar Plains, in Fleming county.

An act to amend the charter, and the amendments thereto, of the town of Stanford.

An act to incorporate the Christian Church of Russellville.

An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville.

An act to incorporate the Frankfort Building and Loan Association.

An act for the benefit of Maria Breckinridge, of Henderson county.

An act to amend an act, entitled "An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company," approved March 14, 1871.

An act to change the boundary line between the counties of Knox and Josh Bell.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company,'" approved March 15, 1871.

An act to incorporate the Lancaster Benevolent Society.

An act to amend section 3, of chapter 102, of the Revised Statutes, title "Treasury Warrant Claims."

An act for the benefit of J. W. Ferguson, late sheriff of Calloway county.

An act to amend the charter of the Elizaville and Fairview Turnpike Road, in Fleming county.

An act to amend the charter of the Eastern Kentucky Railway Company.

An act to amend an act, entitled "An act to incorporate the Elizabethtown and Paducah Railroad Company, and the acts amendatory thereto."

An act for the benefit of Clark county.

An act legalizing certain orders of the Mercer county court.

An act authorizing the Buffalo Springs Cemetery Company to have lands condemned for their use.

An act to amend the charter of Elizabethtown.

An act to authorize the school commissioner of Hardin county to sell the property known as the Hardin County Male Seminary.

An act to amend the charter of the town of Mt. Sterling.

An act providing for the collection of railroad tax in Elliott county.

An act to locate the county seat for Hickman county.

An act for the benefit of H. S. Powell, of Jackson county.

An act to require the clerk of the Kenton county court to make a cross-index of deeds and mortgages recorded at Covington.

An act for the benefit of Amos Davis, sheriff of Morgan county.

An act to authorize the city of Henderson to issue bonds for railroad purposes.

An act for the benefit of Winchester Lodge, No. 20, A. Y. F. and A. Masons.

An act to charter the Lockport and Bethlehem Turnpike Road Company.

An act to amend the charter of the Commonwealth Insurance Company.

An act for the benefit of Samuel Sublett, of Woodford county;

An act to provide for voting by ballot in the election of Representatives in Congress.

An act concerning the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receivers of the Louisville chancery court.

An act to require the clerk of the Johnson county court to index certain order books and other records in his office.

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries," so far as it applies to Martin's creek and Hurricane pond or slough, in Daviess county.

An act to amend an act, entitled "An act to require the county courts to have one or more fire-proof vaults for the safe-keeping of the public records in their respective counties."

An act to incorporate the Harrodsburg and Chaplin River Turnpike Road Company.

An act for the benefit of Washington county.

An act to regulate the running of ferries and ferry rates in the city of Covington.

An act to authorize the county court of Hickman county to raise money to build a new court-house in said county, in the town of Clinton.

An act to legalize the judgments and orders of Greenup county quarterly court at its March term, 1869.

An act to incorporate the Steele's Turnpike Road Company.

An act to incorporate Bourbon Building and Savings Association, of Paris.

An act authorizing the Carter county court to appoint a commissioner and receiver of the funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company.

An act to incorporate the Bardstown and Fairfield Turnpike Road Company.

An act to incorporate the town of Linton, in Trigg county.

An act to authorize the Boone county court to appoint trustees for the Burlington burying-ground, and prescribing their duties.

An act to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company.

An act to amend the charter of the city of Ludlow.

An act to incorporate the Evansville and Jackson Railroad Company.

An act to incorporate the Hartford, Calhoon, and Morganfield Railroad Company.

An act concerning pauper lunatics of this Commonwealth.

An act for the benefit of H. Hill, of Barren county.

An act for the benefit of Trimble county.

An act to amend an act, approved March 2, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses.'"

An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson.

An act to amend an act to authorize commissioners to sell the poor-house farm of Henry county.

An act to declare the South Fork of Quicksand creek, and other creeks in Breathitt county, navigable streams.

An act for the benefit of J. B. Ross, former sheriff of Ballard county.

An act to prohibit the sale of liquor in Letcher county.

An act to amend an act, entitled "An act for the benefit of Boone county," approved January 30, 1871.

An act to change the time of holding the court of claims in the county of Robertson.

An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

An act to incorporate the Pendleton Building and Savings Association of Falmouth.

And then the House adjourned.

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## FRIDAY, MARCH 29, 1872.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate Brawner's Patent Levee Company.

An act to incorporate the Westport, Carrollton, and Ghent Railroad Company.

An act to incorporate the National Construction Company.

An act to incorporate the Princeton, Marion, and Ohio River Railroad Company.

An act to provide for the repairing of the Louisville and Nashville Turnpike Road, and to amend the charter thereof.

An act for the protection of deer in Breathitt, Morgan, Magoffin, Elliott, and Wolfe counties.

An act for the benefit of Rufus D. Smith, of the county of Jessamine.

An act to prevent the sale of spirituous liquors in the town of Burksville.

An act for the benefit of school district No. 1, of Ohio county.

An act for the benefit of Polk Ditto, sheriff of Henry county.

An act amendatory of the laws in relation to the city of Frankfort.

An act for the benefit of school district No. 60, in Scott county.

An act to fix and regulate the times of holding the chancery court in Bracken, Pendleton, Campbell, and Kenton counties.

An act to incorporate the Citizens' Bridge Company.

An act to amend chapter 84, article 1, "Public Roads," of the Revised Statutes.

An act for the benefit of John P. Barrett, sheriff of Ohio county.

An act to incorporate the Christian Church Widows' and Orphans' Home.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, viz:

An act to incorporate the Agricultural and Mechanical Association of Colored People, of Shelby county;

An act to incorporate the J. M. S. McCorkle Lodge, No. 355, of Ancient York Free Masons;

An act to amend the charter of the Louisville, Memphis, and New Orleans Railway Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Rowlett inform the Senate thereof.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Webster county.

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

An act to incorporate the Ohio Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

An act to pay military claims reported by the Quarter-Master General.

An act in relation to the collection of the turnpike road tax in Lewis county.

An act to amend the act incorporating the town of Quincy, in Lewis county, extending the limits of said town, and prohibiting the sale of spirituous, vinous, or malt liquors, and for other purposes.

An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky.

An act to provide for the building of turnpike roads in Adair county.

An act empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses.

An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

An act to incorporate the Kentucky Southern Railroad Company.

An act for the benefit of Poplar Mountain Coal Company.

An act to amend the charter of the Paducah and Gulf Railroad Company, approved February 26, 1869.

An act to amend an act, entitled "An act to incorporate the Henderson Running Park Association," approved March 9, 1868.

An act for the benefit of the county and circuit court clerks of Boyd county.

An act for the benefit of Maggie G. Roberts, of Montgomery county.

An act to exempt A. P. Boyes and others from working on any dirt road in Harrison county.

An act to authorize the county court of Trigg county to sell the poor-house therein.

An act to change the time of holding the court of claims of Carter county.

An act to amend an act chartering the Muldrow's Hill, Campbellsville, and Columbia Turnpike Road Company.

An act to empower the trustees of the town of Cadiz to sell old cemetery property not inclosed.

An act to close certain alleys in the town of Falmouth.

An act for the benefit of Norman Sebree, of Boone county.

An act to amend the charter of the Valley Turnpike and Gravel Road Company.

An act to amend an act, entitled "An act to incorporate the Eastern Kentucky Marble, Lithograph Stone, and Mining Company," approved March 21, 1870.

An act for the benefit of W. S. Miller, jr., marshal of the town of Lancaster.

An act to provide for paying for indexing record books in the Warren circuit and county courts.

An act for the benefit of Warren county.

An act to amend the charter of the town of Midway.

An act to incorporate the Columbus Male and Female Academy, in Hickman county.

An act to regulate the sale of liquors in Marion county.

An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

An act to incorporate Independent Order of Odd Fellows, No. 83, in Hickman, Fulton county.

An act for the benefit of the Elizaville and Elizaville Station Turnpike Road Company.

An act to incorporate the St. Louis Cemetery, near Louisville.

An act for the benefit of the Hillsboro and Wyoming Turnpike Road Company, in Fleming county.

An act to authorize a chancellor to order a survey of land.

An act to revise, amend, and reduce into one the acts pertaining to the district of Highlands, in the county of Campbell.

An act to take the sense of the qualified voters of Boyle county in relation to liquor license in said county.

An act to reimburse the county court of Fleming county for expenses incurred in keeping, and support of, certain lunatics of said county.

An act for the benefit of John P. McAndrew, of Lewis county.

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways.'"

An act authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river.

An act authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river.

An act to incorporate the Louisville Collegiate Institute.

An act to confer upon the town marshal of Parksville, Boyle county, the rights, duties, and powers of constables in civil cases.

An act for the benefit of Farish Arnett, sheriff of Magoffin county.

An act to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7, 1850.

An act to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville.

An act to regulate official sales in Woodford county.

An act for the benefit of W. S. Shepperd, of Pulaski county.

An act for the benefit of Wm. Risner and Chas. Menix, sureties of Stephen Howard, sheriff of Magoffin county.

An act to amend an act, entitled, "An act to incorporate the Union County Bank."

An act to incorporate the Atlantic and Ohio River Railway Company.

An act to authorize the formation of corporations for manufacturing, mining, transporting, mechanical, or chemical purposes, in Carroll county.

An act to incorporate the Central Kentucky Inebriate Asylum.

An act authorizing the Auditor to remit damages on delinquent property.

An act to increase the duties of the county attorney of Barren county.

An act regulating the listing of property for local taxation in Washington county.

An act for the benefit of John S. Mattingly, sheriff of Meade county.

An act to amend the charter of the Kentucky and Great Eastern Railway Company.

An act to incorporate the Church Aid Society.

An act to charter the Diamond Coal and Mining Company.

An act to incorporate the Good Templars' Joint Stock Company of the town of Monterey, in Owen county.

An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville.

An act to reduce into one, amend, and digest the act, and amendatory acts, incorporating the town of North Middletown, in Bourbon county.

An act to incorporate the Bank of Webster.

An act to incorporate the Mercantile Bank, of Louisville.

An act to incorporate the First German Savings Bank, of Louisville.

An act to incorporate the Paducah Universal Deposit and Trading Bank.

An act to incorporate the Agricultural and Mechanical Association of Colored People, of Shelby county.

An act to incorporate the J. M. S. McCorkle Lodge, No. 355, of Ancient York Free Masons.

An act to amend the charter of the Louisville, Memphis, and New Orleans Railway Company.

Resolution amendatory of a resolution on the death of Charles S. Morehead, approved February 18, 1869.

Resolution providing for the purchase of a library for the Kentucky Penitentiary.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

An act to incorporate the Richmond Mining Company.

An act to incorporate Franklin Lodge, No. 28, F. A. M., in Boyle county

An act to charter Brothers' Lodge, No. 132, of the Independent Order of Odd Fellows, in the city of Owensboro.

An act to incorporate the Colored Methodist Episcopal Church in America.

An act to incorporate the St. Augustine Cemetery, near Lebanon, Marion county.

An act to incorporate the Colored Agricultural and Mechanical Association of Woodford county.

An act to incorporate the Joint Stock Agricultural and Mechanical Association of Colored People, of Madison county.

An act for the benefit of the Farmers' Mutual Insurance Company.

An act for the benefit of J. M. Withrow.

An act for the benefit of Fayette Hewitt.

An act to amend an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12, 1870.

An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

An act to amend an act to incorporate the town of Martinsburg;

An act for the benefit of Grant Green.

An act for the protection of livery stable keepers in McLean county.

An act to amend the charter of the town of Kingston, in Trimble county.

An act to incorporate Needham Lodge, No. 174, in Caverna, Hart county, I. O. G. T.

An act to incorporate the Southwestern Kentucky Agricultural and Stock-raising Association.

An act to incorporate the Pendleton County Stock Association.

An act to incorporate the First Presbyterian Church of Ludlow, Kenton county.

An act regulating defenses in actions of trespass in Carroll and Trimble counties.

An act to amend an act, entitled "An act to incorporate the town of Hinklesville, in Ballard county," approved March 6, 1868.

An act to regulate the running of trains on the Louisville and Nashville Railroad in the town of Elizabethtown.

An act to amend the charter of the city of Covington.

An act to authorize Glasgow Lodge, No. 65, Independent Order of Odd Fellows, to issue bonds and buy a lot of land.

An act to incorporate the Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical Association.

An act to incorporate the town of Beattyville, in Lee county.

An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company.

An act to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company.

An act to incorporate the Exchange Bank and Tobacco Warehouse Company.

An act for the benefit of J. N. Tague, F. E. Skidmore, W. Mahoney, W. B. Gillis, and M. Hunter, securities of James B. Cook, late sheriff of Trimble county.

Resolution in relation to a uniform tax on tobacco by the General Government.

Resolution directing Public Printer to print synopsis of public acts, &c.

Resolution in relation to the Louisville and Portland Canal.

On motion of Mr. Goodloe,

*Ordered*, That a committee be appointed to wait on the Senate and inform them, that having completed the business before it, this

House is now ready to adjourn this present session; and that said committee, in conjunction with a committee to be raised by the Senate for that purpose, also wait upon the Governor and inquire whether he has any further communication to make to the General Assembly of the present session.

And thereupon the following committee was appointed, viz: Messrs. Goodloe, Blackburn, Todd, T. M. Johnson, and Lassing; who, after a time, returned to the House and reported that they, in conjunction with a committee from the Senate, had waited upon the Governor and communicated to him the message of the two Houses, who directed them to inform the two Houses that he had no further communication to make to either at the present session.

And thereupon Mr. Speaker McCreary, after having addressed them briefly, declared the House to be adjourned until the 7th day of January, 1873, at 12 o'clock, M.

# LIST OF MEMBERS AND OFFICERS

*Of the House of Representatives, giving Name, County Represented, Post-office Address, and Occupation.*

| Names. | County. | Post-office. | Occupation. |
|---|---|---|---|
| Mr. Speaker (J. B. McCreary) | Madison | Richmond | Lawyer. |
| William A. Allen | Meade | Union Star | Farmer. |
| George W. Anderson | Jefferson | Louisville | Druggis. |
| A. C. Armstrong | Bracken | Augusta | Farmer. |
| A. S. Arnold | Hickman | Clinton | Farmer. |
| W. W. Ayers | Calloway | Murray | Farmer. |
| G. W. Bailey | Webster | Sebree City | Farmer. |
| R. Tarv. Baker | Campbell | Alexandria | Lawyer. |
| W. W. Baldwin | Mason | Maysville | Farmer. |
| Alpheus W. Bascom | Bath | Owingsville | Farmer. |
| W. R. Bates | Barren | Glasgow | Lawyer. |
| W. N. Beckham | Nelson | Bardstown | Lawyer. |
| John A. Bell | Scott | Georgetown | Editor. |
| S. C. Bell | Metcalfe | Edmonton | Farmer. |
| J. C. S. Blackburn | Woodford | Spring Station | Farmer. |
| Church H. Blakey | Logan | Auburn | Farmer. |
| William F. Bond | Anderson | Lawrenceburg | Farmer and Distiller. |
| W. B. M. Brooks | Bullitt | Mt. Vitio | Farmer. |
| W. W. Bush | Simpson | Franklin | Lawyer. |
| Thomas P. Cardwell | Breathitt | Jackson | Farmer. |
| Robert M. Carlisle | Kenton | Walton | Farmer. |
| John S. Carpenter | Jefferson | Louisville | Insurance Agent. |
| George Carter | Lawrence | Louisa | Farmer. |
| B. E. Cassilly | Jefferson | Louisville | Contractor. |
| James S. Chrisman | Wayne | Monticello | Lawyer and Farmer. |
| C. M. Clay, jr. | Bourbon | Paris | Farmer. |
| J. Guthrie Coke | Jefferson | Louisville | Lawyer. |
| Josiah H. Combs | Perry | Hazard | Lawyer. |
| William G. Conrad | Grant | Dry Ridge | Farmer. |
| Thomas H. Corbett | Ballard | Blandville | Lawyer and Farmer. |
| R. D. Cook | Rockcastle | Mt. Vernon | Lawyer. |
| R. L. Cooper | Mason | Orangeburg | Physician. |



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| | Pulaski | Somerset | Merchant. |
| | | Prestonsburg | Lawyer, Farmer, and Trader. |

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| Mason | Orangeburg | Physician. | |
| J. E. Cosson | Pulaski | Somerset | Merchant. |
| Joseph M. Davidson | Floyd | Prestonsburg | Lawyer, Farmer, and Trader. |
| W. W. Deaderick | Pendleton | Falmouth | Lawyer. |
| John W. Dyer | Union | Caseyville | Contractor and Builder. |
| Walter Evans | Christian | Hopkinsville | Lawyer. |
| W. H. Evans | Josh Bell | Yellow Creek | Blacksmith. |
| M. Woods Ferguson | Jefferson | Louisville | Merchant. |
| James B. Fitzpatrick | Letcher | Whitesburg | Lawyer. |
| Manlius T. Flippin | Monroe | Tompkinsville | Lawyer. |
| C. D. Foote | Kenton | Covington | Lawyer. |
| Joseph P. Foree | Shelby | Christiansburg | Farmer and Lawyer. |
| James Garnett | Adair | Columbia | Lawyer. |
| Wm. Cassius Goodloe | Fayette | Lexington | Lawyer. |
| E. A. Graves | Marion | Lebanon | Farmer. |
| C. P. Gray | Clinton | Albany | Lawyer. |
| Clinton Griffith | Daviess | Owensboro | Farmer. |
| J. P. Hampton | Owsley | Booneville | Farmer. |
| William A. Hoskins | Boyle | Danville | Farmer. |
| George M. Jessee | Henry | New Castle | Farmer. |
| E. Polk Johnson | Jefferson | Long Run Station | Lawyer. |
| Thomas M. Johnson | Taylor | Campbellsville | Farmer. |
| T. J. Jones | Graves | Mayfield | Farmer. |
| L. W. Lassing | Boone | Florence | Farmer. |
| J. S. Lawson | Nicholas | Headquarters | Farmer. |
| G. W. Little | Whitley | Whitley C. H. | Farmer and Lawyer. |
| J. J. McAfee | Mercer | Harrodsburg | Lawyer. |
| J. A. McCampbell | Jessamine | Nicholasville | Farmer. |
| Bryan S. McClure | Russell | Jamestown | Farmer. |
| William J. McElroy | Allen | Butlersville | Farmer. |
| M. E. McKenzie | Trigg | Cadiz | Teacher. |
| T. J. Megibben | Harrison | Cynthiana | Distiller and Farmer. |
| J. C. Moorman | Muhlenburg | South Carrollton | Farmer. |
| W. A. Moran | Campbell | Flagg Springs | Farmer. |
| William Mynheir | Morgan | West Liberty | Farmer. |
| J. L. Nall | Hardin | Elizabethtown | Farmer. |
| Mat. Nunan | Washington | Springfield | Farmer. |
| John W. Ogilvie | McCracken | Paducah | Farmer. |
| Julian N. Phelps | Butler | Brooklin | Farmer. |
| Lewis Potter | Warren | Bowling Green | Farmer. |
| Hiram S. Powell | Jackson | McKee | Farmer. |

LIST OF MEMBERS AND OFFICERS—Continued.

| Names. | County. | Post-office. | Occupation. |
|---|---|---|---|
| W. L. Reeves | Todd | Elkton | Lawyer. |
| E. A. Robertson | Fleming | Tilton | Farmer. |
| John Rowan | McLean | Livermore | Farmer. |
| John P. Rowlett | Hardin | Munfordsville | Farmer. |
| J. P. Sacksteder | Jefferson | Louisville | Lawyer. |
| J. R. Sanders | Trimble | Bedford | Farmer. |
| Samuel M. Sanders | Larue | Buffalo | Farmer. |
| C. C. Scales | Kenton | Covington | Merchant. |
| William Sellers | Garrard | Lancaster | Merchant. |
| James W. Snyder | Hancock | Pellville | Farmer, Merchant, and Miller. |
| William Tarlton | Oldham | Goshen | Farmer. |
| J. S. Taylor | Ohio | Hartford | Ex-Minister. |
| George M. Thomas | Lewis | Mt. Carmel | Lawyer. |
| C. W. Threlkeld | Owen | Owenton | Farmer. |
| Harry I. Todd | Franklin | Frankfort | Farmer. |
| L. W. Trafton | Henderson | Henderson | Lawyer. |
| Joseph T. Tucker | Clark | Winchester | Lawyer. |
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| E. F. Waide | Jefferson | Louisville | Merchant. |
| J. L. Waring | Greenup | Greenupsburg | Farmer. |
| C. H. Webb | Livingston | Smithland | Merchant. |
| J. M. White | Grayson | Millerstown | Merchant. |
| Mordecai Williams | Boyd | Catlettsburg | Farmer. |
| F. A. Wilson | Lyon | Eddyville | Lawyer. |
| Jonas D. Wilson | Breckinridge | Cloverport | Farmer. |
| J. N. Woods | Crittenden | Marion | Merchant. |
| S. H. Woolfolk | Hopkins | Madisonville | Lawyer. |
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| R. A. Thomson, Sergeant-at-Arms | Franklin | Frankfort | Judge County Court. |
| A. G. King, Door-keeper | Simpson | Franklin | Farmer. |

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